



Title: The UK Media-state Nexus in the context of
Post-9/11 Terrorism Policy

Name: Lisa Thomas

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THE UK MEDIA-STATE NEXUS IN THE CONTEXT OF POST-9/11 TERRORISM POLICY

By Lisa Thomas

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requirements for the degree of Doctor of Philosophy

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Lisa Thomas

ABSTRACT

Following the terrorist attacks on America on 11 September 2001, the New Labour government enacted an unprecedented amount of terrorism legislation in the form of the Anti-Terrorism, Crime and Security Act 2001, the Prevention of Terrorism Act 2005, the Terrorism Act 2006, and finally the Counter-Terrorism Act 2008. Whilst the government viewed these terrorism laws as vital to national security, many of the measures contained in these acts, such as control orders and increased detentions, provoked intense debates over civil liberties. Much research on media-state relations in the context of responses to 9/11 have found evidence to support the elite-driven paradigm, whereby the media have been shown to fail in their adversarial ‘watchdog’ role by acting as ‘faithful servants’ (Wolfsfeld, 1997) to the political agenda. This research tested these assumptions by examining the media framing of the UK government’s legislative responses to terrorism post-9/11. In so doing, it analyses the relationship between the media and the New Labour government in the context of the policymaking process. To date, longitudinal studies that map the UK media-state nexus within the context of terrorism policymaking are lacking. This thesis therefore, addresses the lacunae in the scholarship. In terms of its theoretical framework, this thesis tests three

competing models of media performance (elite-driven, oppositional and independent) on British press reporting of the parliamentary debates (Robinson et al., 2010). Methodologically, it takes an inductive approach to analysing the framing of the debates, and draws on material gleaned from interviews with four former home secretaries. The findings reveal that of the three meta-frames (national security, civil liberties and party politics), the politics frame dominated across all four case studies. Although government sources dominated the debates, the evidence suggests that they had limited influence over the news agenda, which runs contra to the elite-driven (redefined here as government-driven) hypothesis. Instead, at an aggregate level, the evidence lends greater support for the independent model. There is also evidence that some sections of the press did subject the legislation to more robust scrutiny, and thus, to some degree, fulfilled their role as political watchdogs, which supports the oppositional thesis.

In memory of my mother, Helen Thomas

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CHAPTER 1

INTRODUCTION

This thesis analyses the relationship between the British press and the political elite by means of a case study approach. Following the terrorist attacks on America on 11 September 2001 (henceforth termed ‘9/11’), the New Labour government enacted an unprecedented amount of terrorism legislation in the form of the Anti-Terrorism, Crime and Security Act 2001, the Prevention of Terrorism Act 2005, the Terrorism Act 2006, and finally the Counter-Terrorism Act 2008. In the wake of the attacks, Tony Blair proclaimed that ‘terrorism has taken on a new and frightening aspect’ and that democratic nations had to respond accordingly to combat this new type of terrorism – a terrorism phenomenon comprised of global terror networks that kill ‘without discrimination.’¹ This new global terrorism threat also accentuated the negative impact of globalisation by demonstrating ‘that global flows of technology, goods, information, ideologies, and people can have destructive as well as productive effects’ (Kellner, 2008: 245).

However, the unknowable quality of the new terrorist risk meant that policy was increasingly based on a ‘precautionary response to threats’, where the ‘main accomplishment of this response [was] to intensify the sense of existential insecurity’ (Furedi, 2009: 197). For the government however, these terrorism laws

¹ HC Deb 14 September 2001, vol 372, cols 604–16

were deemed vital to national security, but many of the measures contained in these acts, such as control orders and increased detentions, provoked intense debates over civil liberties – with much of the criticism emanating from the media, parliamentarians and the judiciary. Much research on media-state relations in the context of responses to 9/11 have found evidence to support the hegemonic or elite-driven paradigm, whereby the media have been shown to fail in their adversarial ‘watchdog’ role by acting as ‘faithful servants’ (Wolfsfeld, 1997) to the political agenda. This research tests these assumptions by examining the media framing of the UK government’s legislative responses to terrorism post-9/11. In so doing, it analyses the relationship between the media and the New Labour government in the context of the policymaking process. To date, longitudinal studies that map the UK media-state nexus within the context of terrorism policymaking are lacking. This thesis therefore addresses the lacunae in the scholarship. Although this thesis is primarily rooted in the scholastic traditions of media studies and political communication, the findings should be of interest to a multidisciplinary audience, including scholars of the law, criminal justice and political science.

Unsurprisingly, the 9/11 terrorist attacks have provoked a raft of responses from scholars of media and politics, with much of it ‘focused on public response and reaction to terrorist attacks, definitions of terrorism, policy questions, media portrayals of terrorism, and framing across different media and nations’ (Papacharissi and de Fatima Oliveira, 2008: 52). However, a large volume of this research has emanated from, and concentrated on, the US perspective (Pludowski,

2007). In the UK context, scholars of media and political communication studies have generally focused on the media framing of foreign policy decisions and media-state relations in time of conflict, especially in relation to the military offensives in Afghanistan and Iraq (Davis, 2010; Goddard et al., 2008; Halttu, 2007; Lewis & Brookes, 2004; Lewis et al., 2006; Murray et al., 2008; Robinson et al., 2009; Tumber & Palmer, 2004). Considerable attention has also been paid to media representation of Muslims in the post 9/11 era and the societal impacts of deleterious coverage (Elgamri, 2008; Featherstone et al., 2010; Lewis et al., 2009; Nickels et al., 2009; Poole, 2002 & 2006; Richardson, 2004). In the disciplines of politics and law, there has been some focus on the rhetoric of political elites in the context of 'war on terror' policies (Leudar et al., 2004; McLean & Patterson, 2006; van der Veen, 2007). Whilst a further body of work examines the impacts of terrorism policy on human rights and civil liberties (Denney, 2008; Gearty, 2007; Moran, 2007; Pantazis & Pemberton, 2012; Seward, 2006).

A multiplicity of research exists that explores the relationship between the mass media and the political sphere. However, as many scholars (Archetti, 2008; Brants & Voltmer, 2011; Halttu, 2007; Robinson et al., 2009; Walgrave et al., 2008) have argued, a significant proportion of these studies are grounded in US-developed theoretical models of media-state relations, and largely confined to US contexts. Some scholars (Archetti, 2008; Bennett, 1996; Halttu, 2007) have also questioned the validity of US-developed models when applied to media environments in other democracies – on the basis that political-source relations, governmental systems, media policies and media ownership patterns in other countries might

differ significantly to US media-political structures. Similarly, outside of the US, there is limited scholarship relating to the theoretical and methodological approaches to analysing the media-state nexus during the policymaking process. As Koch-Baumgarten and Voltmer (2010) note, research on the impact of the media on ‘the processes and outcomes of political decision making’ remains rather ‘patchy’ and ‘incoherent’ (Koch-Baumgarten & Voltmer, 2010: 2).

Writing in 1978, Stuart Hall et al. argued that the media ‘reproduce the definitions of the powerful’, and ‘reproduce symbolically the existing structure of power in society’s institutional order’ (Hall et al., 1978: 58). More recently, however, scholars have questioned the cogency of the elite-driven paradigm in explaining the media-state dynamic in advanced democracies (Davis, 2003, 2007 & 2010; Entman, 2003 & 2004; Robinson et al., 2009), arguing that the relationship between the political class and the media is more complex and mutable than erstwhile stimulus-response models have suggested. Although Davis (2010) points out that most studies suggest that political elites generally have most control over the news agenda, he argues that power relations between politicians and journalists across different policy areas are a continual site of struggle, and as such, news coverage ‘fluctuates, becoming more compliant or more critical of governments, accordingly’ (Davis, 2010: 68). Similarly, Wolfsfeld (2003) argues that whilst ‘political power can often be translated into power over the media’, both in terms of access and the extent to which they can ‘influence how they and their policies will be covered’, there are still sites of political contest (Wolfsfeld, 2003: 95). These sites of contest occur when political elites ‘lose control over the

political environment’ allowing space ‘for challengers to promote alternate frames to the press’ (Ibid.: 94). Entman’s (2003) cascading activation model proffers that oppositional media framing of policy issues usually occurs when there is dissensus among political elites. When applied to the UK context, other elite state actors such as the judiciary or the police could also qualify as challengers to the official government position. The widening of the sphere of dissensus in the policymaking process has special relevance to the terrorism case study presented in this thesis, not least because challengers to the official government perspective – in relation to policy impacts on human rights and civil liberties – included the judiciary, parliamentarians, and certain factions of the press. Thus, Davis’ (2010) assertion that ‘Journalists, consciously or not, have come to play a role in the politics of politics itself’ resonates with the themes of this study.

Within this conceptual framework, the aims of this research were twofold: the first was to analyse the media coverage of the legislative debates to ascertain which issues received the most attention, how these issues were framed and by whom; the second was to gain greater insight into media-government relations in the context of a particular policy area by assessing the extent to which the media criticised or reinforced the official political agenda. Drawing on Wolfsfeld’s (1997) political contest model, Robinson et al. (2009) tested three competing ‘models of media performance’ on British media reporting of the 2003 Iraq war. These models are characterised as follows: elite-driven (characterised by supportive or reinforcing coverage of the government agenda); independent (characterised by either balanced and analytical coverage of events, or coverage

that reflects the customary ideological biases of individual newspapers); and oppositional (characterised by overt critical coverage of the government agenda and often reinforcing of oppositional standpoints). The research questions outlined below are examined within these competing theoretical models of media-state relations.

1.1 Research Questions and Methods

As Davis (2007) contends, ‘the “occupational ideology” of journalism directs journalists towards holding politicians to account and adopting an adversarial stance in their engagements’ (Davis, 2007: 48). However, to what extent is this journalistic ideal practiced in real world circumstances? Lawrence (2010) postulates that a key line of questioning in studies of media-state relations is: ‘How independently do the media frame issues and events, versus simply passing along to the public the frames originated by powerful political actors?’ (Lawrence, 2010: 265). This thesis follows a similar line of enquiry. To assess the extent to which the British press reinforced or criticised the New Labour terrorism policy agenda, it addressed the following interlinked questions:

1. *Media attention:* How prominent was the coverage? What issues received the most attention? Was there a quantitative change in coverage between 2001 and 2008?
2. *Sources:* Who shaped the debates? Whose views were prioritised or marginalised? To what extent were the debates indexed to political elites? To what extent were the debates indexed to elite challengers?

How prominent were non-elite views, such as human rights organisations or Muslim interest groups?

3. *Framing of debates:* What were the dominant frames? To what extent did the media frame the debates within the broader frameworks of the ‘War on Terror’, human rights or civil liberties? To what extent did the media reinforce or criticise the official policy agenda? If relevant, which issues received the most criticism, and did these criticisms reflect conventional media positions? Was there a qualitative change in the tone of coverage between 2001 and 2008?
4. *Media relations:* How successful were New Labour in setting and managing the media agenda? What was the media-political dynamic during the policymaking process?

These research questions were applied to four major pieces of terrorism legislation enacted under the New Labour government, namely: the Anti-Terrorism, Crime and Security Act 2001; the Prevention of Terrorism Act 2005; the Terrorism Act 2006; and the Counter-Terrorism Act 2008. Content analysis and framing analysis were the two primary methods employed in this study – the latter being the main technique in addressing question 3, and the former in addressing questions 1 and 2. These approaches were supplemented with in-depth interviews with four former home secretaries: Jack Straw (1997–2001), David Blunkett (2001–2004), Charles Clarke (2004–2006), and Jacqui Smith (2007–

2009). These interviews were useful in tracing the linkage between press coverage of terrorism policy and the political decision making of key cabinet members involved in the formulation and enactment of the legislation. All three methods were employed to address the fourth research question. The newspaper sample comprised the *Daily Telegraph*, the *Times*, the *Guardian*, the *Daily Mail*, the *Sun* and the *Mirror*. Of these titles, the *Daily Telegraph*, the *Times*, the *Daily Mail*, and the *Sun* are broadly considered to reside on the political right, whilst the *Guardian* and the *Mirror* are generally deemed to reside on the political left. The selected titles also had a higher share of the newspaper market for their respective class during the period under investigation.

1.2 Research Context

This section discusses the overarching contextual themes inherent to this thesis. It begins with discussion of the historical underpinnings of New Labour's approach to media relations, before focusing on its centralised approach to media management in government and the eventual press backlash against 'spin'. The second broad theme focuses on terrorism and New Labour's politics of response, within the context of a changing media. It finally raises some of the issues relevant to civil liberties and human rights during the period under investigation.

1.2.1 New Labour and the Taming of the Feral Beast

On 12 June 2007, Blair delivered a candid speech to the Reuters Institute for the Study of Journalism at the University of Oxford, in which he outlined his views 'on the challenge of the changing nature of communication on politics and the

media' (Blair, 2007a). It was during this speech that he used one of his most memorable metaphors, the 'feral beast', to describe the pack-like mentality of the media, who, in Blair's words, often join forces in 'tearing people and reputations to bits' (Ibid). The BBC Political Editor, Nick Robinson, acknowledges that Blair's speech touched on 'some uncomfortable truths', and provides an insider account of the pack like tendencies of Westminster journalists when in pursuit of a political story.

The way journalists weaken their prey – helped along by opposition MPs – is by posing endless lists of 'unanswered questions'. Newsrooms echo to the sound of reporters swapping views on the latest evidence, searching for inconsistencies justifying new lines of inquiry. When one emerges...the pack pounces.

(Robinson, 2012: 260–261)

Robinson concedes that, whilst journalists have sometimes been too hasty in trampling on the careers of politicians in an effort to avoid being trumped by their rivals, there have also been times when they have been culpable of not pursuing 'questions robustly enough or soon enough', citing the Iraq War as one such instance (Robinson, 2012: 261). This dualistic relationship between politicians and journalists highlights the problem of determining where the site of power lies within the political-press nexus and has attracted a polarised response from academics and commentators alike. Critics such as Barnett and Gaber (2001), Franklin (2004) and Osborne (2008) assert that the balance of power tilts in favour of the political elite, whilst others such as Baumgartner et al. (1997), Dean (2012),

Edwards and Wood (2002) and Wood and Peake (1998) believe the media play a significant role in shaping the political agenda.

Concern over media presentation of government policy and personalities is not a modern phenomenon. Historically, political leaders have been well aware of the importance of the media in the governance of both domestic and foreign affairs. One only has to look at the devastating state violence conducted in Nazi Germany and Stalinist Russia during the first half of the twentieth century, and the part that the media played in propagandising certain ideologies. But what impact has an ever evolving media ecology had on the media-political dynamic in Britain? From Winston Churchill's photo opportunity during the siege at Sidney Street in 1911 to Anthony Eden's attempts at controlling the media during the 1956 Suez crisis, politicians have sought to use the media as a conduit to communicate their desired messages to the public. During the 1950s, the press was still considered the most 'vital' medium in which to communicate with the public. Putting aside his battles with the BBC, Eden considered the press to be the most 'formidable opinion-former' (Shaw, 1996: 15). As Shaw notes, it is Suez that 'ranks as the last great international crisis in which the press could play a direct and profound role as a source of information – and persuasion' (Ibid.).

A changing media has undoubtedly had an impact on the way in which the public perceive and relate to politicians, especially in today's highly visual age where the image predominates. By the early 1960s, the 'television effect' was to have a profound change over the way in which politics and acts of terrorism were

represented and understood by the public. Television, more than any other medium has been instrumental in the drive towards ‘personality politics’ – a phenomenon that would serve Tony Blair very well during the first few years of his premiership. The 1960 presidential debates where John F. Kennedy triumphed over Richard Nixon is a recognised example of the power of the ‘televisual’ image in politics. Even though the radio audience preferred Nixon, considering his policies to be more persuasive, the television audience favoured Kennedy’s more charismatic style of politics.

Three decades later, the trend towards televisual or personality driven politics was evident in the Labour Party leadership bid of 1994, where, in a contest dominated by concerns about media impact, the telegenic appeal of Tony Blair was key in securing his victory. Indeed, critics of that period questioned the apparent media sway over British politics: ‘the concern is clear: if leadership contests are now always to be media or “television elections”, can candidates against whom the media is biased or who are non-telegenic ever succeed?’ (Alderman & Carter, 1994: 452). It is a concern that has even greater magnitude in our present media saturated society, as Jack Straw recognises:

What I think is true for a variety of reasons is the focus on politics has become more dominated by personality and if you like by celebrity culture. Politicians around when I was born in the late 1940s, some of those would not have survived the glare of television, most notably Atlee. If you take something like the *Today* programme, that puts politicians under a forensic spotlight, which they didn’t really have to endure. They

had to make half-decent speeches to the House of Commons, and that is important, but it is a different kind of pressure.

(Interview with author, 12 February 2014)

To the architects of New Labour, the perceived power of the media to make or break a political party, or to bring down governments, is not without foundation. Etched in the consciousness of most Labour aficionados is the part played by the press, especially the *Daily Mail*, in bringing about the demise of the first Labour government. In 1924, Ramsay MacDonald's Labour government had formally recognised the Soviet Union and pledged a future loan of £30 million – this, along with the government's decision not to prosecute an editor for incitement over an article that appeared in the communist *Workers' Weekly* – provided substance for the 'red scare' campaign promulgated by the right wing press (Beers, 2010: 59). Then, four days before the 1924 general election, the *Daily Mail* published what became known as the 'Zinoviev letter' – a letter purportedly from Grigory Zinoviev, the chairman of the Comintern in Moscow to the Communist Party of Great Britain. Later believed to have been penned by the British security services and leaked to the Conservative Party, the Zinoviev letter urged British communists to infiltrate the Labour Party to facilitate an Anglo-Soviet accord. The headlines that ensued were explicit in aligning the Labour Party with communism and revolutionary ideas, with the *Daily Mail* proclaiming a 'Civil War Plot by Socialists' Masters' (Thomas, 2005: 9). Although it is generally accepted that the Labour Party was unlikely to have won the election, the negative coverage and alignment with anti-British values in the majority of the press

demonstrated the might of the media in creating a *cause célèbre*. Nearly seventy years later in the run up to the 1992 election, *The Sunday Times* drew on the same motifs by declaring: ‘Official: Kinnock’s Kremlin Connection’ – the connection between Neil Kinnock and the Soviet embassy was true enough, but only in the context of routine diplomatic business (Ibid.: 111).

It was therefore unsurprising that whilst in opposition, Blair and his cohorts would focus so intensely on trying to win the hearts and minds of the media. Blair admits that it was imperative for New Labour to transform its approach to media relations: ‘We paid inordinate attention in the early days of New Labour to courting, assuaging, and persuading the media. In our own defence, after 18 years of Opposition and the, at times, ferocious hostility of parts of the media, it was hard to see any alternative’ (Blair, 2007a). During the 1980s, the Labour party was largely portrayed in the press as a party that was internally divided and out of touch with public sentiment. Peter Mandelson accepts that the press depictions were a true reflection of the state of the party at that time, which meant his main task as director of communications was ‘damage control’ (Mandelson, 2011: 83). In 1985, Mandelson and two fledgling members of parliament, Gordon Brown and Tony Blair, began to address their party’s weaknesses by embarking on the ‘modernising project that became New Labour’ (Ibid.: li). The restructuring of communications and a renewal of efforts to ingratiate with the media were to become the mainstay of this modernising plan. Blair’s election as leader of the Labour Party in 1994 not only heralded a new politics but a new style of political communication. After his leadership victory, Blair apparently declared, ‘the only

thing that matters now in this campaign is the media, the media, the media' (Dean, 2012: 3), in which he duly hired Alastair Campbell as his chief spokesman and press adviser,² whose remit alongside Mandelson was to transform the image of the Labour Party in the hitherto hostile press. Although later depicted in the media as the masters of the 'dark arts' of spin, Campbell and Mandelson's media campaign was a crucial element in facilitating New Labour's landslide victory at the polling stations on 1 May 1997. However, securing the support of a large swathe of the right-wing press was not without consequence, as was evidenced in New Labour's adoption of more media-friendly right-wing policies, and cemented in their turnabout on media reforms, including the dropping of 'restrictions on foreign ownership of British media; a stricter privacy law to curb tabloid invasions; and moves to outlaw predatory pricing' (Ibid.: 6).

1.2.2 The Backlash against Spin

A major change to the Party's communications came in the form of a new centralised approach to their 1997 election campaign, a tactic inspired by the campaigning strategies employed during President Bill Clinton's 1992 presidential campaign. As Philip Gould, one of Blair's key political strategists, attests: 'The idea of moving Labour campaigning to one modern, central space came from those of us who had worked on Clinton's campaign in 1992', which had confirmed the need for New Labour to have a more 'integrated operation' as opposed to the 'scattered nature' of previous Labour campaigns (Gould, 2011: 293).

² For an account of Downing Street's day-to-day media management operations, see the memoirs of Alastair Campbell (2011a; 2011b; 2012a; 2012b), Lance Price (2006) and Damian McBride (2013).

From 1995 to 2002, Millbank Tower was to become the hub of the party's campaigning activities, where there was a new emphasis on professionalised media management and public relations. Indeed, a major change was the emphasis on a central message from the top down, which served to signify a unified party, with party members often having to stay on message and in the case of responding to issues not previously on the interview agenda, seeking approval from headquarters before responding to media questions (Gaber, 2000: 510).

New Labour's approach to media management became closely associated with the soundbite and the pseudo-event, both of which are 'key strategies used by politicians to control media representations of them and their policies' (Somerville, 2004: 34). The increasing pressure on journalists to produce more news with fewer resources has not only opened the door to public relations professionals, but also enabled the use of the soundbite by politicians to encapsulate the focus of their policy in anticipation that journalists will latch on to a particular phrase that supports their preferred message.³ An effective example of this was the wide usage in the media of Blair's slogan 'tough on crime, tough on the causes of crime', which 'came to symbolise New Labour's radical centrist

³ The impact that new media technology has had on the newspaper industry has also meant that the journalism profession itself has undergone considerable transformation. Due to the forces of marketization, globalisation and the frenetic nature of the 24/7 mediasphere, journalists not only have to be more adept at producing multimedia content, but are also under pressure to produce more news with fewer resources (Freedman, 2010: 41). The 'dramatic decline in the editorial resources of news producers' has allowed for the encroachment of public relations into the news production process, and in most cases 'its expanding output is fulfilling a very real demand' (Davis, 2000: 43). Natalie Fenton likens news production in the age of the internet as 'more akin to creative cannibalization than the craft of journalism' insofar as journalists are now desk-bound recirculating news sourced from other online media (Fenton, 2012: 122). This has resulted in what Nick Davies has defined as a culture of 'churnalism', which he claims is 'the heart of modern journalism, the rapid repackaging of largely unchecked second-hand material, much of it designed to service the political or commercial interests of those who provide it' (Davies, 2009: 60).

approach of combining a stress on law and order with concern for social justice’ (McNair, 2011: 129).

Whilst New Labour enjoyed a relatively long honeymoon period, towards the end of their first term in office, the backlash against spin was to be continuously played out in the press. Indeed, during this period, press criticism of New Labour’s ‘spin doctoring’ was unrelenting, provoking a ‘marked deterioration in the already worsening relations between New Labour and the press’ (Stanyer, 2003: 309). The hostility of the press toward government spin was to reach its apogee in the wake of 9/11, when a memo by Jo Moore, press advisor to Stephen Byers, the Secretary of State for Transport, Local Government and Regions (DTLR), was leaked to the press. At 14:55 on 11 September 2001, whilst the world was transfixed by the devastating images of the terrorist attacks, Moore sent an email to her press team, stating: ‘It is now a very good day to get out anything we want to bury’ (Public Administration Select Committee, 2002: 8). Moore’s blunder attracted considerable criticism from parliamentarians and the media alike, which ultimately resulted in the resignations of Moore and Byers (and indirectly, Martin Sixsmith who joined the department as Director of Communications in December 2001).

The Moore episode also spawned a Public Administration Select Committee inquiry in 2001, which in turn led to the 2003 Phillis Review (published in January 2004). The ‘central theme’ of the Phillis Review was the ‘three-way breakdown in trust between government and politicians, the media and the general

public’ and how these breakdowns could be remedied (Phillis, 2004: 2). On the dichotomous disintegration of the relations between the media and the government, the Review questioned whether the ‘two parties [were] now locked into an introspective cycle of mutual distrust from which it has become impossible for either to escape’ (Ibid.: 27). It goes on to detail the key grievances of each party. The media complained that ‘politics [was] run by spin doctors and that politicians...stick rigidly to a rehearsed script, speak in meaningless sound bites and will only tell the truth when they are safely off the record’ (Ibid.). Whilst politicians maintained that the media were only interested in ‘personalities [and] the search for conflict’ (Ibid.). Furthermore, they argued that the trend for journalists to try to encapsulate a ‘story in 15 seconds’, along with their ‘cavalier approach to the truth’ had hindered political communications to the public (Ibid.). Indeed, the home secretaries interviewed for this thesis corroborated this view.

The Review concluded that, among other things, the government should be more transparent in its media operations, and that its ‘communications to the public’ should be more ‘unmediated’ and less reliant on ‘spin’ (Ibid: 12). A report published in 2009 by a House of Lords Select Committee that assessed the changes made to government communications in the wake of the Phillis Review concluded that more transparency was still required. In terms of the way forward, the Committee advised that the internet should be more readily utilised to counter criticisms, from both the public and the wider journalistic community, against the closed and secretive Lobby system (House of Lords Select Committee on Communications, 2009: 37). Another key recommendation was that ‘the most

important announcements of Government policy should be made in the first instance to Parliament', rather than, presumably, to the media (Ibid.). Just two years later, the Leveson Inquiry would bring to light most vividly the tightknit relationship between the media and the state.⁴

1.2.3 Terrorism in the UK: From PIRA to 9/11⁵

Within the European context, the origin of the term 'terrorism' can be traced back to the French Revolution, with the Académie Française defining the term in 1798, as a 'system or rule of terror'. Previously associated with state violence against its citizens, by the late nineteenth century the term had become progressively more linked with non-governmental groups rather than with those in power. It is this understanding of terrorism that persists today. In the colonial era in the wake of the Second World War, dissident movements used terrorist tactics against colonial powers to pressurise them into withdrawing from their lands, but also to terrorise the indigenous populations in an effort to gain political ascendancy. Throughout these periods, the media was increasingly viewed as an important propaganda tool for governments and terrorists alike, not just within the confines of nation states but as a means to communicate their messages to an international audience. As Burleigh notes, during this era: 'The colonial struggles all involved playing to international public opinion via the mass media. Terrorists learned this too' (Burleigh, 2008: 151). The socialist and nationalistic terrorism of the 1950s through to the 1970s increasingly involved terror tactics involving civilian targets and the use of highly symbolic targets such as aeroplanes to attract media

⁴ The Leveson Inquiry and its implications will be further discussed in Chapter 2.

⁵ Discussion on particular terrorist events and New Labour's policy responses in the post-9/11 era are discussed in the results chapters (chapters 4–7).

attention. Neumann links these tactics directly to the television age, with the hijackings of aeroplanes particularly seen to be ‘staged for television audiences’ (Neumann, 2009: 136).

In contemporary societies, most scholars agree that defining terrorism is an extremely difficult task (see, for example, Walker, 2009: 7; and Whittaker, 2012: 5). The oft-said adage that ‘one man’s terrorist is another man’s freedom fighter’ still holds true. One only has to consider the career trajectory of politicians as diverse as Nelson Mandela (once defined as a terrorist by an apartheid state) and Martin McGuinness (formerly of PIRA, and now part of the political establishment in Northern Ireland), to see the complexity of the issue.⁶ Generally, most definitions of terrorism are instituted and legitimated by powerful state actors, as Deacon et al. point out: ‘To label an action as “terrorist” is to condemn it as illegitimate and to support the claims of the state against which it is aimed’ (Deacon et al., 2007: 165). Similarly, ‘Islamist terrorism’⁷ is just as difficult to define, as ideological motivations and terrorist tactics, as well as socio-cultural circumstances, can differ significantly between various groups and individuals.⁸

This thesis understands terrorism, particularly ‘new terrorism’ as the use of

⁶ Indeed, the same can be said of America’s changing view of Osama bin Laden – for President Ronald Reagan, he was a freedom fighter (fighting a common enemy, i.e. the Soviet Union), and to President George W. Bush, a terrorist.

⁷ This thesis ‘employs the term “Islamist terrorism” to refer to post 9/11 terrorist violence committed by extremist Muslim groups for political or religious aims, particularly (though not exclusively) Al-Qaeda or groups or individuals inspired by Al-Qaeda. However, it is important to note that [the author is] equally sensitive to the debates around the use of this particular term’ (Silverman & Thomas, 2012: 293).

⁸ Abu Qatada’s recent statement on the beheadings of two American journalists carried out by Isis (Islamic State) in Syria perhaps best exemplifies this dilemma. Indeed, whilst Al-Qaeda still has Qatada’s support, he denounced the actions of Isis as ‘un-Islamic’ saying that ‘Messengers should not be killed’. More generally, the execution of journalists is not part of the Al-Qaeda ethos, which has traditionally exploited the western media for propagandist aims (*The Guardian*, 7 September 2014). Online. Available HTTP: <<http://www.theguardian.com/world/2014/sep/07/isis-beheadings-islam-abu-qatada>> (accessed 26 October 2014).

indiscriminate violence by groups or individuals against civilians in pursuant of particular ideological and/or political goals.

Although it is the Provisional Irish Republican Army's (PIRA) systematic terror campaign on mainland Britain during the 1970s to the mid-1990s that lives on in the British consciousness, in Britain there 'exists a historical context more than a century long to the current British war on terror' (Hewitt, 2008: 9). Indeed, it was the Irish terrorism of the late nineteenth century, which led to the Metropolitan police establishing Special Branch. However, until the early 1970s, acts of terrorism were exclusively carried out against targets in Northern Ireland, which, due to the contrivances of Westminster and Stormont, gained very little attention from the British and international media. As Butler contends, it was the 1968 RUC attacks on peaceful demonstrators at a civil rights march in Londonderry (now Derry) that 'spectacularly announced the troubles in NI [Northern Ireland] to the British audience as well as to the wider world' (Butler, 1996: 58). The subsequent events of the early 1970s – including the introduction of curfews and the widespread internment of terror suspects, and the shooting of thirteen Catholic protesters on 30 January 1972 by the British army in what become known as 'Bloody Sunday' – resulted in a campaign of Irish violence against British mainland targets. As such – and as the PIRA must have predicted – the Irish troubles became a prominent topic of news in the British (and international) media. In response, the British government introduced a raft of 'censorship' measures in an effort to 'manage' the way in which the troubles were reported in the British media, with Margaret Thatcher famously stating that terrorism needed

to be starved of ‘the oxygen of publicity’ (Curtis, 1984; Edgerton, 1996; and Moloney, 1991).

In response to this campaign, particularly in the wake of the Birmingham and Guildford pub bombings, the Labour Government under Harold Wilson rushed through the Prevention of Terrorism (Temporary Provisions) Act 1974. David Miller contends that the British media’s coverage of these events not only ‘eased the passage of the “draconian” Prevention of Terrorism Act [but also] helped to convict the Maguire family, the Guildford Four and the Birmingham Six for bombings they did not commit’ (Miller, 1994: 276). He also notes that it was this same media, namely a series of World in Action television documentaries during the 1980s, that later ‘played a role in forcing an acknowledgement that the convictions were unsafe’ (Ibid.). This temporary piece of legislation had various additions over the following 25 years (in 1974, 1976, 1984, and 1989), and was eventually replaced with a permanent piece of legislation in 2000.⁹

Although it is beyond the scope of this thesis to provide a comprehensive comparison between Irish terrorism and Islamist terrorism post 9/11, it is instructive to note the different ways in which governments have responded to terrorism over the past four decades. Scholars such as Ulrich Beck describe the post 9/11 era as living in a ‘terroristic world risk society’ (Beck, 2002: 9). For the New Labour government, 9/11 created a ‘new’ form of terrorism.¹⁰ Indeed, whilst

⁹ The Terrorism Act 2000 was introduced by the New Labour government partly in response to the Omagh bombing of 1998.

¹⁰ The Home Secretaries interviewed for this research confirmed this view. See chapters 4, 5, 6 and 7 for further discussion.

successive governments could identify the motivation behind PIRA's political and practical objectives, they have wrestled to understand the ideological aims of Islamist terrorism. Consequently, governments have represented Islamist terrorists as a simplistic monolithic enemy of 'western' democratic norms and values. However, one major distinction between the PIRA period and the Islamist terrorism period post 9/11 is the *modus operandi*; the PIRA, for example, never resorted to suicide bombing. This crucial difference posed considerable problems for the government in terms of how best to legislate. Indeed, in the wake of 9/11, the government was quickly having to grapple with a new type of terrorism threat, one which was perceived as qualitatively different to the PIRA campaign. As David Blunkett affirmed:

There were no suicide bombers from Northern Ireland. They killed other people but they didn't kill themselves, unless it was by accident. So you could pursue and prosecute and punish. So those three options weren't available to you in a meaningful sense, [in terms] of sending signals and deterring people from doing things, or making it more difficult for them to do it.

(Interview with author, 21 March 2014)

This new form of terrorism has arguably led to a greater climate of fear, which in turn has led to policy being drafted on a precautionary basis. Beck argued that 'what is politically crucial is ultimately not the risk itself but the perception of risk. What men fear to be real is real in its consequences – fear creates its own reality' (cited in Mythen and Walklate, 2006: 126). Ultimately, as Burnett and

Whyte argue: ‘The new terrorism thesis sets up an understanding of an enemy that is not only more apocalyptic and dangerous, but also less amenable to traditional forms of control’ (Burnett & Whyte, 2005: 5). Indeed, these leitmotifs were central to the government’s rhetoric around the need for ‘tougher’ measures during its terrorism legislative drives, as was the prioritising of the rights of citizens above those of terrorist suspects. The latter deployed by the government to justify its ever-increasing encroachment on civil liberties and human rights.

1.2.4 New Labour and the Politics of Insecurity

As its starting point, this thesis argues that many of the draconian measures found in the later legislation were not a corollary of 9/11 – but were already ingrained in New Labour’s general approach to crime and security from the early 1990s (Silverman, 2012; and Silverman & Thomas, 2012).¹¹ For example, section 44 of the TA 2000 granted the police greater powers to ‘stop and search’ terror suspects, whilst the RIPA 2000 contained more invasive surveillance measures. Despite this, the media showed little interest in the passage of the legislation. Indeed, a content analysis of the Terrorism Act 2000 carried out for this PhD research showed that there was negligible press attention during its passage. Jack Straw also stated that he ‘did not give much thought to the press’ on its introduction to parliament, although he conceded that the Bill had ‘broad all party support and that made it a bit easier’ (Interview with author, 12 February 2014). In contrast, the terrorism legislation enacted after 9/11, received a high level of press

¹¹ Also, see Saward (2006) for an elucidating discussion on the ‘close links between the government’s anti-terrorism legislation and its broader agenda’ on criminal justice, especially in the context of civil liberties (Saward, 2006: 230).

attention. Similarly, the government paid much more consideration to its media strategy during the passage of the terrorism bills than it had done previously.¹²

In Britain, the New Labour government repeatedly drew on new terrorism threat discourses, which were themselves entrenched ‘into broader cultural formations of crime and (in)security’ (Mythen & Walklate, 2006: 123), in order ‘to gain public support for...the tightening up of national law and order measures’ (Ibid.: 129). Indeed, Fairclough argues that ‘Blair’s “toughness” [had] been self-consciously built into his communicative style as a matter of policy and strategy’ (Fairclough, 2000: 8). Before his leadership bid, Blair admitted that a key reason behind his choice to be shadow home secretary was that: ‘It showed leadership. [He] took a traditional [liberal] Labour position, modernised it, made it popular and upended the Tories with it’ (Blair, 2010: 55). The murder of two-year old James Bulger in Liverpool in 1993 was to become a defining moment for Blair in terms of his political reputation. For Blair, the tragic murder of the toddler, perpetrated by two ten-year-old boys from broken homes, embodied the social disintegration that had occurred under Thatcherism. In his memoirs, Blair admitted that he used the issue for political intents.

Very effectively I made it into a symbol of a Tory Britain in which, for all the efficiency that Thatcherism had achieved, the bonds of social and community well-being had been loosed, dangerously so. I did it sincerely. [Gave a widely reported speech on the issue]...at the time, politically, there was a big impact on my standing, which rose still further.

¹² The extent to which this was tied up with the broader ‘war on terror’ politick will be discussed in later chapters.

Given Blair's politicisation of the Bulger murder, the later criticisms from the press that the motivating factor behind much of the terrorism policy was to gain political advantage over the Opposition were not without substance. However, Blair's admission also highlights the adeptness of New Labour in recognising and exploiting 'opportunities beyond the narrow crime and anti-social behaviour agenda to represent the national mood' (Silverman & Thomas, 2012: 281).

A distinguishing feature of the New Labour government was not only how it responded to the terror threat, but also how these issues were communicated to the public. New Labour's move towards an emotionalistic political discourse was 'a rhetorical device to reach out past the office in order to connect at an imagined "more human" level' (Gaffney, 2001: 131). Blair in particular, addressed the electorate with a 'new' level of intimacy and ordinariness. This new style of political rhetoric served to show the electorate that not only were the politicians listening to them, but that they were being proactive in their response. As Richards affirms: 'One thing that was new about "New" Labour was arguably the attention paid to the emotional tasks of political leadership, to intuiting the anxieties of the public and seeking to respond to them' (Richards, 2007: 107). Indeed, Rumford argues that New Labour's 'political responses' to 9/11 and 7/7 displayed 'a strong emotional dimension which [had] displaced, to a certain extent, a rational appraisal of political realities' (Rumford, 2008: 165).

However, this attuning to the emotional needs of the public was evident prior to 9/11. Blunkett explains the reasoning behind the government's turn towards 'emotional governance' (Richards, 2007). Referring to the already heightened sense of insecurity in the UK prior to 9/11 – partly due to the race riots in the summer of 2001 and the mounting fears on asylum and immigration – Blunkett accredits the advent of the 24/7 news environment as a major factor in amplifying these existential fears.

Immigration, subliminal fear of rapid change, threat to the 'normal' way of living, the instability that that causes, obviously has implications as to how people receive messages about other aspects of security and of what's happening in the world. Coupled with the fact that we had just moved into an era of seven days a week, 24-hour news. We were also beginning to see people using the internet and mobile technology. All of those things came together at the same time.

(Interview with author, 21 March 2014)

Whilst Blunkett believed that the Home Office had 'got on top' of the asylum and immigration issue, there was growing unease amongst government officials about the increasing prominence of far right groups across Europe. Interestingly, the government ethos of attuning to, and allaying, public fears was already in operation prior to 9/11. Recalling the government's anxiety over the 'massive upsurge of the right across Europe',¹³ Blunkett stated:

¹³ Blunkett was referring to Le Pen in France, Pim Fortuyn in Holland, the far right coalition in Austria, as well as the ousting of the Social Democrats in Denmark.

Some of us had been arguing that we needed to be aware of this, and not panic or pander, but actually get a grip to the point where people were secure in their minds that we knew that there was an issue to be addressed. Providing them with that reassurance was as much a part of the security, because it affected their psyche and the way that they saw things, as was the physical security.

(Ibid.)

The advent of 24-hour news, alongside online news and government information websites, has meant that politicians now need to respond to issues around the clock. Indeed, the changing media has not only had an impact on the speed with which politicians need to respond, but has heralded a new style of political communication. As Garland argues: ‘The TV encounter – with its soundbite rapidity, its emotional intensity, and its mass audience – has tended to push politicians to be more populist, more emotive, more evidently in tune with public feeling’ (Garland, 2001: 157). Indeed, New Labour’s preoccupation with populist sentiment during its anti-terrorism campaigns was heavily criticised in the press.

Charles Clarke affirmed the significant impact that a changing media has had on political life. Whilst working for Neil Kinnock during his stewardship of the Labour Party, Clarke recalled that politicians had far greater time to reflect on an issue before having to make a statement to the press. The new media environment, in Clarke’s view, has heralded an ‘utterly different press timetable and that has changed the whole relationship [between politicians and journalists] very, very

substantially’ – and for Clarke, not for the better (Interview with author, 4 February 2014).

1.2.5 New Labour, the Press and the Human Rights Act

Given New Labour’s turn toward more draconian criminal justice policies in their first parliamentary term in office, it was perhaps inevitable that their political responses to terrorism after 9/11 would sit uncomfortably with their former commitment to safeguarding civil liberties and human rights – a commitment best expressed in the enactment of the Human Rights Act 1998. Much of the criticism emanating from parliamentarians and certain sections of the press focused on the impact that various measures would have on ancient civil liberties, especially concerning the perceived attack on habeas corpus. Despite this, there was also considerable criticism levelled at the HRA/ECHR, as well as to the wider remit of the EU on British constitutional affairs. For a large section of the press, the HRA was seen as undermining ‘parliament’s sovereignty’, with much of the discourse claiming that the Act ‘privileged the legal rights of convicted prisoners, asylum seekers and suspected terrorists above those of law-abiding citizens and “victims”’ (Silverman & Thomas, 2012: 290). Indeed, the tabloids in particular defined the Act as a ‘Villain’s Charter’, with much of its vitriol reserved for ‘liberal’ judges and human rights lawyers.

Thus, this thesis highlights the dualistic nature of the press around issues relating to civil or human rights – it would seem that among some sections of the press, the rights pertaining to press freedom are sacrosanct, whilst human rights are

subject to a caveat. In explaining the attitude of the press toward the HRA, Gies notes that 'the HRA's poor reputation is also not helped by the fact that it is regularly mistaken for a 'European' law imposed on the UK by 'Brussels', i.e. the European Union.' (Gies, 2011: 169). This is an argument shared by Petley, who states: 'press hostility to the HRA dates back to its birth, which the press feared (wrongly) would bring about a privacy law. But it also had deeper roots in conservative opinion's hostility to anything smacking of 'European' ideas, human rights among them' (Petley, 2006: 14). The impact of press reporting on Jack Straw's criticisms of the HRA can only be surmised, but in 2008, Straw gave an interview to the *Daily Mail* (an ardent critic of the Act) in which he publically criticised the way that some judges had interpreted the Act. He declared:

I fully understand that [*Daily Mail* readers] have concerns about the Human Rights Act. There is a sense that it's a villains' charter or that it stops terrorists being deported or criminals being properly given publicity. I am greatly frustrated by this. Not by the concerns, but by some very few judgments that have thrown up these problems.

(*Daily Mail*, 8 December 2008).

Moran highlights some of the concerns raised above, arguing that, whilst critics have quite rightly focused on the civil liberties implications of some of the more draconian counter-terrorism powers, 'It is away from the intense area of countering terrorism that civil liberties concerns may arise' (Moran, 2007: 91). An example being the expansion in 'conventional police powers' since New Labour came to power, including the power to cordon off public spaces, DNA sampling

and storage, and ‘impressive powers of asset recovery’ (Ibid.). On the other hand, Denney argues that ‘the relationship between New Labour, fear and human rights is a complex one’ (Denney, 2008: 570). Whilst New Labour’s security and criminal justice measures have certainly encroached on civil liberties, during their term in office Blair and his ministers also demonstrated ‘a commitment to enhance the rights of some groups’ (Ibid.). The emphasis on ‘the removal of civil liberties’, Denney argues, has, however, ‘[distracted] attention from measures taken by New Labour with the intended aim of enhancing inclusiveness and human rights’ (Ibid.).

1.3 Thesis Structure

This thesis is divided into nine chapters. Chapter 1 has provided an overview of the theoretical and methodological direction of this thesis. In terms of its theoretical framework, it tests three competing models of media performance on British press reporting of anti-terrorism legislation enacted between 2001 and 2008. Methodologically, it takes an inductive approach to analysing the framing of the legislative debates, and draws on material gleaned from interviews with four former home secretaries. Furthermore, this chapter has outlined some of the central themes relevant to this thesis. In particular, it looked at the relationship between New Labour and the British press, from its reorganisation of its communication strategies in opposition to the role of ‘spin’ in the policy cycle, with special consideration of the impact a changing media has had on the government-press dynamic. Section 1.2 concluded with a discussion of the issues

pertaining to New Labour's politics of insecurity, and the concomitant debates on civil liberties and human rights. The rest of the thesis is structured as follows.

Chapter 2 is divided into two parts. The first part focuses on the fourth estate thesis. Beginning with an account of the issues highlighted by the Leveson Inquiry, it goes on to explore the historical antecedents of the struggle for press freedom, alongside the ideal function of the press in a democracy. The second part of the chapter details the three competing models of media-state relations (elite-driven, independent and oppositional), with particular reference to the tripartite models of Hallin (1986), Wolfsfeld (1997) and Robinson et al. (2010). It also discusses the modifications made to these models to fit the particular circumstances of the adversarial character of the British press. The independent model in particular draws on an eclectic range of research paradigms that moves the model beyond normative definitions of press objectivity, and allows for a more nuanced understanding of what constitutes independent press reporting in the British context.

Chapter 3 provides a detailed discussion of the approaches and methods used in the research. Primarily, the research takes an inductive approach, and employs the methodological frameworks and framing definitions of Gamson and his colleagues (Gamson & Lasch, 1983; and Gamson & Modigliani, 1989), with particular reference to their construction of a signature matrix. Beginning with a discussion of the quantitative and qualitative methods deployed for the content analyses, the chapter then provides an overview of the sampling decisions, as well

as an outline of the character and political affiliations of the newspapers that constitute the objects of analysis. Finally, it discusses the utilisation of the in-depth interviews, before concluding with a summary of the chapter.

Presented in chronological order, chapters 4 to 7 present the findings of the press framing of the four case studies. Each chapter begins with an overview of the key provisions contained in its respective Act, as well as the different standpoints of the main actors involved in the debates. The main actors being the government, the political opposition, members of the House of Lords, as well as the police and security services, and to a lesser extent, civil liberties and Muslim advocacy groups. In terms of the news content studies, each chapter has been organised as follows: firstly, it details the quantitative findings, which include the level of press attention devoted to the Bill and the key sources that shaped the news agenda. In regards to media-source relations, it seeks to discern the primary definers of the news agenda, and the extent to which the press might have challenged elite consensus or dissensus. Secondly, it discusses the findings of the framing analysis, specifically looking at how the media framed the policy debates as well as the editorial responses of particular newspapers. Each chapter concludes with a consideration of the overall performance of the press, with special reference to the theoretical arguments discussed in Chapter 2. To underpin particular points of discussion, the chapters also refer to some of the insights gleaned from the interviews with the former home secretaries.

Chapter 8 provides a comparative analysis of the four case studies. It begins with a review of the quantitative findings, specifically focusing on the longitudinal patterns of press attention and media-source relations. Then, it discusses the findings of the qualitative analyses, specifically looking at trends in the press framing of the policy debates over time. This is followed by an overall assessment of the performance of the press, with special reference to the theoretical frameworks relative to media-state relations. The section concludes with an overall assessment of the extent to which the press fulfilled its historic ‘fourth estate’ role. Finally, this chapter evaluates some of the key themes to emerge from the interviews with the four home secretaries, especially regarding the government-press dynamic during their time in office, before concluding with a summary of the key findings of the comparative analysis.

Chapter 9 provides a summary of the research findings, with particular reference to the research questions. It then goes on to discuss the theoretical implications of the research and its contribution to knowledge, the strengths and limitations of the conceptual framework, and concludes with a summary of possible areas for further inquiry.

CHAPTER 2: CONCEPTUALISING THE MEDIA-STATE NEXUS

This chapter is divided into two broad parts. The first part focuses on the ‘Fourth Estate’ thesis. Beginning with an account of the issues highlighted by the Leveson Inquiry, it goes on to explore the historical antecedents of the struggle for press freedom, alongside the idealised function of the press in a democracy. The second part of the chapter details the three competing models of media-state relations (elite-driven, independent and oppositional), with particular reference to the tripartite models of Hallin (1986), Wolfsfeld (1997) and Robinson et al. (2010). It also discusses the modifications made to these models to fit the particular circumstances of the adversarial character of the British press. The independent model in particular draws on an eclectic range of research paradigms that moves the model beyond normative definitions of press objectivity, and allows for a more nuanced understanding of what constitutes independent press reporting in the British context. Similarly, the elite-driven paradigm has been more narrowly defined as government-driven, which enables a clearer distinction between government/official positions and non-government elites.

PART 1: THE FOURTH ESTATE

What the proprietorship of these papers is aiming at is power, and power without responsibility – the prerogative of the harlot throughout the ages.¹⁴

(Stanley Baldwin, 1931)

With any of these big media groups, you fall out with them and you watch out, because...it is literally relentless and unrelenting once that happens, and my view is that that is what creates this situation in which these media people get a power in the system that is unhealthy and which I have felt, throughout my time, uncomfortable with.

(Tony Blair, 2012)

Two prime ministers speaking in very different media eras ascribe an almost mythic level of power to the press, illustrating the enduring influence the press has had on political life over the past century. Although successive governments have been wary of imposing any restrictions on the press, several inquiries since 1947 have provided fora for an introspective examination of the ethics and practices of the press. Three Royal Commissions on the Press (1947–1949, 1961–1962 and 1974–1977) have each made appeals to the industry for greater robustness in its self-regulatory systems – the 1977 Report stipulating that the press should be given one final chance to prove the workability of self-regulation. The Press Council set up in the wake of the first Royal Commission was also heavily criticised in the 1977 Report for failing to uphold acceptable standards in its

¹⁴ The author Rudyard Kipling, who was incidentally Stanley Baldwin's cousin, originally coined the phrase.

inquiries into press abuses – failings that had already been identified by the Younger Committee on Privacy in 1973. Press intrusion into the personal lives of politicians and members of the Royal Family reached its nadir in the 1980s, leading to the setting up of the (Sir David) Calcutt Committee to scrutinise the practices of the press and the perceived failure of the Press Council in dealing with abuses within the industry. The Calcutt Report of 1990 concluded that the Press Council was ineffectual and recommended it be replaced with the Press Complaints Commission (PCC). Echoing the findings of the 1977 Royal Commission Report, Calcutt also advised that the press be given a final opportunity to prove that self-regulation was a satisfactory option (Committee on Privacy and Related Matters, 1990). In 1993, the second Calcutt Report into the efficacy of the newly formed PCC found it an ineffective regulator and recommended the introduction of a new ‘statutory regime’ (Department of National Heritage, 1993: xi–xii). Despite the findings of these inquiries, statutory regulation of the press was never implemented. In the years that followed, the issue of press regulation was raised in several select committees, but it was the Leveson Inquiry that would bring to light most vividly ‘issues such as privacy, regulation and accountability which have been muffled or dormant for a couple of decades’ (Brock, 2012: 520).

In 2011, the revelations of widespread transgressions committed by the British press over a period of ten years were, rather ironically, making headlines in newspapers and television news broadcasts around the world. To some, the British press represents the ideal of an unrestricted and democratic media, to others it is

an industry with far too much power without the encumbrance of responsibility. Although the issue of phone hacking had been brought to public attention in the summer of 2006 – with the arrests of Clive Goodman, former royal editor of the *News of the World*, and private investigator Glenn Mulcaire – these deeds were not seen as representative of the journalistic culture as a whole, but rather the actions of a couple of ‘rogue’ individuals.¹⁵ However, further revelations of phone hacking by journalists at the *News of the World* appeared in *The Guardian* in July 2011, instigating a series of events that would bring to light the unethical practices of certain segments of the British press, as well as exposing the nature of the relationship between the media and senior representatives of both the government and the police.

The hacking of the voicemail messages of the murdered schoolgirl Milly Dowler shortly after she went missing in 2002 proved to be one of the most controversial cases.¹⁶ This activity not only gave the Dowler family false hope that she was still alive, but also had a direct bearing on the police investigation. Public outcry ensued, which ultimately led to the closure of the *News of the World*, along with the resignations of several senior employees of News International, including former *News of the World* editor and chief executive of News International, Rebekah Brooks. Along with her former colleague Andy Coulson, Brooks was

¹⁵ Clive Goodman and Glenn Mulcaire were arrested in relation to a story written by Goodman in November 2005, which referred to Prince William’s medical treatment for a knee injury, information that Buckingham Palace believed was obtained via the hacking of the Prince’s voicemails. Goodman and Mulcaire were convicted of phone hacking in January 2007 and were sentenced to four and six months respectively.

¹⁶ In 2012, the IPCC released a report that was highly critical of Surrey Police during their investigation into the disappearance of Milly Dowler. The report found that Surrey Police ‘at all levels’ were aware of the *News of the World*’s involvement in hacking the schoolgirl’s phone, and that despite this knowledge they failed to take action for almost a decade.

subsequently charged with nineteen offences relating to phone hacking. Several senior Metropolitan Police officers also resigned in the immediate aftermath of the revelations, including the Met Police Commissioner Sir Paul Stephenson and the Met Police Assistant Commissioner John Yates, in relation to their links with News International, as well as to criticisms of the Met's handling of the phone hacking affair.

On 13 July 2011, David Cameron responded to the furore by announcing that a public inquiry into press standards was to be set up, with Lord Justice Leveson appointed as Chair of the Inquiry. A week later, having previously stood by his decision to employ Andy Coulson as his Communications Director and publically declaring his support for him after his arrest over the phone hacking affair, Cameron finally conceded 'regret' over his hiring of the former *News of the World* editor.

The Leveson Inquiry was divided into two parts. The aim of the first part was to scrutinise the 'culture, practices, and ethics of the press' (Leveson Report, 2012: 4), and to offer recommendations on regulation, issues of media ownership, and future guidelines on how to ensure appropriate conduct between the press and state agencies, namely the police and the political class. Part 2 was concerned with the level and nature of misconduct within News International, and other news organisations. In light of the close relationship that had developed between the press and the police, particular attention was paid to the way in which the

police had handled allegations of illegal activities carried out by journalists working for News International.

Published in November 2012, the Leveson Report proclaimed that both the police and politicians had ‘developed too close a relationship with the press’ (Leveson Report, 2012: 1439), with the recommendation that a greater degree of transparency was required in their future dealings with journalists and media proprietors. The Report also contained several key recommendations concerning the regulation of the press, the overriding one being the establishment of a self-regulatory body, independent of press and government. Moreover, that such a body should be underpinned by statute to ensure that standards are upheld and complaints from the public effectively processed.¹⁷

In the wake of the Report, the three main political parties agreed on a new Royal Charter that would include powers to impose fines and enforce retractions for inaccuracies in news stories.¹⁸ To ensure its independence, it proposed that any amendments to the charter would require at least a two-thirds majority of both houses. The press opposed the charter on the grounds that it amounted to little more than ‘state-sponsored legislation’, which contravened the ideal of a free press independent of political influence. Eschewing what they perceived to be a ‘politician’s charter’, a majority of the press proposed its own self-regulatory

¹⁷ There was widespread criticism of Leveson’s failure to address the challenges of legislating in the age of the internet (see, for example, Clark, 2013; and O’Neill, 2013). The Report simply acknowledged that the internet was an ‘ethical vacuum’ (Leveson Report, 2012: 735), but skimmed over criticisms that many of the recommendations contained in the Report would very quickly be rendered obsolete.

¹⁸ Despite fierce contestation from the press, the Royal Charter on press regulation was granted by the Privy Council on 30 October 2013. On the same day, the prosecution began its opening in the trial of Rebekah Brooks and Andy Coulson.

body, the Independent Press Standards Organisation (IPSO), to replace the highly criticised PCC. It remains to be seen whether the outcomes of the Leveson Inquiry will inspire any significant change both in terms of self-regulation and in terms of the relationship between the press and various state agencies. However, as previous inquiries can attest, the press have a long history of dogged self-preservation when threatened with regulatory reform, especially when buttressed by decree.

2.1 An Overview of the Fourth Estate Thesis

Give me the liberty to know, to utter, and to argue freely according to
conscience, above all liberties.

(John Milton, 1644)

A free press is the unsleeping guardian of every other right that free men prize; it is the most dangerous foe of tyranny...Under dictatorship the press is bound to languish, and the loudspeaker and the film to become more important. But where free institutions are indigenous to the soil and men have the habit of liberty, the press will continue to be the Fourth Estate, the vigilant guardian of the rights of the ordinary citizen.

(Sir Winston Churchill, 1949)

Although uttered three hundred years apart, John Milton and Sir Winston Churchill's impassioned appeals for the importance of a free press sprang from a common resistance to state censorship of the written word. Milton was speaking

at a time when the printing press was subject to strict government censorship under the Licencing Order of 1643, whilst Churchill was speaking in the aftermath of World War II, where state control of media in Nazi Germany had overseen some of the worst atrocities in modern history. Milton's *Areopagitica* (1644) is often regarded as one of the first expositions on the right to 'freedom of expression'. Whereas Milton's petition to parliament was to prove futile, the European philosophers of the Enlightenment were to have a much more influential role in transforming the politics of France. Propelled by the political and philosophical ideas of the Age of Reason, the French Revolution of 1789 proved to be a key turning point in the history of the struggle for press freedom. The role of the press in the circulation of revolutionary ideas was crucial in mobilising the people against the absolutist monarchy, and marked the beginning of 'the interaction between politics and the media, the concept of the fourth estate, [and] the influence of the media on democracy' (Chapman, 2005: 15). Although Jean-Jacques Rousseau and Voltaire¹⁹ both died a year before the storming of the Bastille, their ideas were to have a profound impact on the leaders of the revolution.²⁰

Often considered the embodiment of the Enlightenment, it was Voltaire 'who made the principles of libertarianism a powerful ideological weapon against kings and tyrants' (Trager & Dickerson, 1999: 51). An advocate of freedom of thought and expression, he also argued for the practical defence of those liberties by

¹⁹ Voltaire was the nom de plume of François-Marie Aroue.

²⁰ Both Rousseau and Voltaire were influenced by the political philosophies of John Locke (1632–1704). Considered one of the founding fathers of liberalism, Locke argued that since man was born free he should be ruled by consent rather than by coercion.

arguing that only then ‘can citizens participate meaningfully in their government and promote policies and laws that enhance rights’ (Ibid.).²¹ The philosophical arguments contained in Rousseau’s *Social Contract* (1762), most notably the advocacy of the universal ‘rights of man’, were to inspire the substance of the *Declaration of the Rights of Man and of the Citizen* of 1789 (Burrowes, 2011: 34). The latter work being viewed as a precursor to contemporary human rights dogmata (Kemp, 2009: 33). In relation to freedom of expression, Article 11 of the Declaration makes clear that, ‘The free communication of ideas and opinions is one of the most precious of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom’.²² A sentiment that would be echoed a century and a half later in Article 19 of the 1948 *Universal Declaration of Human Rights*, which states: ‘Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers’.²³

Introduced into the public consciousness by Rousseau, the phrase ‘rights of man’ was to appear in the later works of the English writers Mary Wollstonecraft, namely in her *Vindication of the Rights of Men* (1790) and Thomas Paine, in his *Rights of Man* (1791). Paine’s treatise was in response to Edmund Burke’s *Reflections on the Revolution in France* (1790), a tome which attacked the radical

²¹ A famous statement ‘I disapprove of what you say, but I will defend to the death your right to say it’ is often misattributed to Voltaire. It was Voltaire’s biographer S. G. Tallentyre who coined the phrase as a way of encapsulating his views on freedom of expression.

²² National Assembly of France (1789) *Declaration of the Rights of Man and of the Citizen*, Online. Available HTTP: <http://avalon.law.yale.edu/18th_century/rightsof.asp> (accessed 28 February 2014).

²³ UN General Assembly (1948) *The Universal Declaration of Human Rights*, Online. Available HTTP: <<http://www.un.org/en/documents/udhr/index.shtml#a19>> (accessed 28 February 2014).

ideas of the French revolutionaries in favour of the hereditary system of monarchy that was already in place in Britain. The conservatism of Burke was in stark contrast to the idealistic radicalism of Paine, whose thesis extolled the events of 1789 as a paragon of egalitarian governance. Paine's seminal work was hugely popular, and his ideas were to inspire a renewed political interest among the working classes, referred to by Burke as 'the swinish multitude' (Chapman, 2005: 24). However, the libertarianism that was the fulcrum of the French Revolution was to be short lived both in France and in Britain. In Britain, the circulation of revolutionary ideas had led to the government censoring radical literature, including the banning of Paine's *Rights of Man* in 1793. As Williams (2010) observes, this period marked a divisive change in Britain, insofar as 'throughout the early nineteenth century, literacy and print culture was a battleground between competing political interests in British society and at the heart of this struggle was the press' (Williams, 2010: 32).

During the nineteenth century, libertarian thinkers such as John Stuart Mill championed the rights of the individual above those of the state, arguing that for there to be a truly pluralistic society, there had to be a continual scrutiny of conformist knowledge, with a free press being a natural facilitator for this (Street, 2001: 254). In *On Liberty* (1859), Mill reasoned that all individuals have the right to free expression as long as any utterance does not cause harm to others, and that this should be an inalienable right enshrined in law. Moreover, he asserted that 'the enforcement of universal education of citizens should be recognized by the state, as the fundamental condition for freedom of opinion formation and

expression' (Splichal, 2002: 16). Mill also argued that the protection of minority opinion and the free expression of a multiplicity of views was a crucial element in the pursuit of truth. He states: 'If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind' (Mill, 1867 [1859]: 10). As Splichal (2002) argues, out of the post-revolutionary thinkers, it was Mill who presented the 'most thorough argument for the freedom of the press as an implement, a genuine medium of a free public discussion' (Splichal, 2002: 16).²⁴

By 1861, the abolition of the last of the newspaper taxes had paved the way for a rapid transformation of the press in Britain.²⁵ This change was a result of the combined forces of industrialisation, chiefly the capacity for mass printing, and the increasing commercialisation of the press. Once emancipated from the state, the press expanded significantly and a tide of new titles appeared. The political freedom of the press during this period also led to greater political partisanship among newspapers. There was also a natural kinship between politicians and journalists, due in part to the overlap of the two professions, with some members of the House of Commons enjoying dual roles as newspaper proprietors or journalists. Moreover, newspapers were at times subsidised by political parties,

²⁴ Also, Mill's 'harm principle' was at the heart of the debates about civil liberties versus security, and which would come to the fore in the anti-terrorism legislative debates. Mill stated: 'That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others' (Mill, 1867 [1859]: 22).

²⁵ Known as the 'taxes on knowledge', newspaper proprietors had to pay duty on each newspaper sold, paper used, as well as on each advertisement that appeared in any given edition. The newspaper taxes were designed to keep the press in check by reducing circulation and restricting ownership. The repeal of the Stamp Act occurred in 1855, and the paper tax was abolished in 1861.

leading to editorial copy advocating the policies of its sponsors. Although theoretically the press, as the so-called fourth estate, served the public in holding politicians to account, in actuality they were very much a part of the state apparatus during this period (Negrine, 1989: 51).

The term 'Fourth Estate' was attributed to Burke by Thomas Carlyle in his work *On Heroes, Hero Worship, and the Heroic in History* (1841). Speaking to parliament in 1787, Burke purportedly used the term sardonically when he said that 'there were Three Estates in Parliament; but, in the Reporters' Gallery yonder, there sat a Fourth Estate more important far than they all' (Carlyle, 1841: 265; and Schultz, 1998: 49). During Burke's era, the 'Three Estates' in Britain was comprised of the House of Commons, the aristocracy and the clergy, with the Fourth Estate acting as a 'counterbalance and check to the other three estates' (Harrison, 2006: 38). Describing the relationship between the press and society as a 'social contract', Sjøvaag (2010) asserts that: 'By tracing the social contract metaphor through its origins in the political-philosophical traditions of liberalism...the concept of rights and obligations within a contractual relationship provides explanation and justification for the role of the press in democracy' (Sjøvaag, 2010: 874). The idea of the press as a nonpartisan 'Fourth Estate', upholding the principles of democracy and freedom of expression, whilst holding the powerful to account is an enduring part of our political culture. Indeed, much of the literature on the ideal democratic function of the press 'revolves around journalistic responsibility to the public or the citizenry' above that of the state (Ibid: 875).

By the late nineteenth century, the consequences of industrialisation and commercialisation had created a notable shift in the political-press dynamic, which in theory at least, paved the way for the press to fulfil its role as the ‘Fourth Estate’. Whilst still ‘primary definers’ (Hall et al., 1978) of the news agenda, politicians no longer had the sway over the press that they once had – largely due to a changing journalism which saw the downgrading of political news in favour of more ‘entertaining’ content. Newspapers were also enjoying greater commercial success, the outcome of an enlarged readership and increasing profits from advertising revenue. The growing influence of advertising was not only a defining factor in liberating the press from state authority, it was also a precursor to our extant press model. However, some critics have contended that far from this period heralding the age of the free press, ‘political controls were simply replaced by the control of the market’ (Kuhn, 2007: 32), the same market forces that were responsible for the demise of the radical press. As Curran (2002) concurs, the weakening of the influence of the political class over the press:

...did not inaugurate a new era of press freedom: rather, it introduced a new system of press censorship more effective than anything that had gone before. Market forces succeeded where legal repression had failed in establishing the press as an instrument of social control, with lasting consequences for the development of modern British society.

(Curran, 2002: 81)

Indeed, the structure of the press from the late nineteenth century onward epitomises the dichotomy of the free market ideal – on the one hand you have a

‘free press’ independent of state control, but on the other hand a concentration of press ownership that weakens the ideal of an impartial democratic media. The high costs of establishing a national newspaper further confine levels of competition, which means that alternative groups competing for a share of the newspaper industry are priced out of the market. Fundamentally a commercial enterprise, the British press proliferate news values that invariably reflect and enhance institutional interests. As the Leveson Inquiry showed, the formation of mutually beneficial alliances between political, media and corporate elites to sustain their interdependent interests is commonplace, and despite the instigation of a new self-regulatory system, is likely to remain so. Although now challenged by the rise of online news, an over reliance of newspapers on advertising revenue can also result in news values reflecting the mercantile concerns of their corporate clientele. Therefore, the notion that the ‘media are neutral institutions which have severed links with sectional interests’ is contradictory to the economically driven business corporations controlling global media sectors (Curran, 2002: 130).

Moreover, a plutocratic media means that far from the press subjecting powerful organisations to robust scrutiny, ‘market incentives work against such vigilance’ (Street, 2001:262). According to Habermas, the potential for the press to become a public sphere for democratic interchange after its emancipation from the state instead became ‘the gate through which privileged private interests invaded the public sphere’ (Habermas, 1992: 185).

2.1.1 The Occupational Ideology of Journalism

Nonetheless, it is the historical struggle for the emancipation from state control that fuels much of the justifications for press freedom today, and explains in part why there is so much resistance among the press to any political interference (Negrine, 1989: 49). Indeed, in contemporary societies the ‘freedom to publish’ is seen as the journalistic ideal, where autonomy of the press is synonymous with democracy (Lloyd, 2011: 1). Moreover, the commercialisation of the press is often celebrated as the harbinger of the democratisation of the modern press, as Paul Dacre, the editor of the *Daily Mail* argues: ‘Britain’s commercially viable free press, because it’s in hock to nobody, is the only real free media in this country. Over-regulate that press, and you put democracy itself in peril’ (Leveson Report, 2012: 89). Out of these historic endeavours for press freedom, an occupational ideology of journalism emerged. Drawing on Golding and Elliott (1979), Merritt (1995), and Kovach and Rosenstiel (2001), Deuze (2005) defines these journalistic principles as follows:

- Public service: journalists provide a public service (as watchdogs or ‘newshounds’, active collectors and disseminators of information);
- Objectivity: journalists are impartial, neutral, objective, fair and (thus) credible;
- Autonomy: journalists must be autonomous, free and independent in their work;
- Immediacy: journalists have a sense of immediacy, actuality and speed (inherent in the concept of ‘news’);
- Ethics: journalists have a sense of ethics, validity and legitimacy.

In modern democracies, it is these values that journalists characteristically invoke when championing the essential qualities of their profession. Despite the transformative impact of the digital revolution on journalistic routines, empirical studies have found that these established principles remain sacrosanct to the journalistic ethos (O'Sullivan & Heinonen, 2008). However, as the Leveson Inquiry demonstrated, the advocacy of a 'free press' has often been exploited by the tabloids to justify some of their more pernicious activities, where lives have been damaged by stories that are deemed to be in the 'public interest', when they are often nothing more than gossip or in some instances complete misrepresentations. The oft cited adage 'power without responsibility' epitomises the nature of some sections of the press in the late twentieth and early twenty-first centuries, where they were seen by many as an inexorable force riding roughshod over whomever they pleased. As several inquiries into the ethics and practices of the press have shown, the past sixty years has seen widespread contempt for people's privacy and a culture of chequebook journalism. Despite the existence of privacy laws,²⁶ even pre-Leveson the murky depths to which some journalists would stoop for an 'exclusive' was well documented. The arrest of private investigator, Steve Whittamore in 2003 is one case in point. Known as the Motorman Operation, Whittamore eventually pleaded guilty to obtaining information that persistently breached the Data Protection Act. A surprising aspect of this case was the breadth of newspapers involved in the trading of illegal

²⁶ A key privacy clause is contained in Schedule 1 to the Human Rights Act 1998, namely Article 8, which advocates the right to privacy. The Act also contains provision for safeguarding 'freedom of expression'.

information, including several broadsheets, namely *The Observer*, *The Times*, *The Sunday Times*, and the mid-market *Daily Mail*, the latter proving to be one of the most prolific users of Whittamore's services (Davies, 2009: 260).

Along with a growing dissatisfaction with the perceived lack of accountability of the press and the failings of self-regulation, there has also been much criticism of the PCC, which was viewed as not fit for purpose due to it being 'unduly dominated by powerful newspaper groups' (Brock, 2012: 520). Indeed, as Davies (2009: 365) contends, the statistics demonstrate just how ineffective the PCC has been as a regulatory body, with only 197 out of a total of 28,227 complaints having been upheld over a ten-year period. It is hardly surprising, then, that opinion polls have shown a steady decline in public trust of the media (Thomas & Finneman, 2014: 184). Analysing the press reporting of the Leveson Inquiry, some critics argued that far from being introspective of their practices and responsibilities, the press clung to a 'reductive libertarianism' by conflating press freedom with democracy, when they should have been debating how newspapers could best restore 'trust with audiences that no longer believe it to be an honest broker of information' (Ibid.).

Post Leveson, the debates continue on how best to manage the press. Some critics, such as Petley (2012), support a legislative approach, to '[ensure] that [the press] meets the democratic obligations which attend its right to express itself freely...[which is] entirely consistent with the ideals of those who fought so passionately for the freedom of the press in the first place' (Petley, 2012: 537).

Whilst Dawes (2013: 17) argues for a ‘civic republican approach to press regulation’ on the grounds that:

Only an approach that considers the freedom of both the press and the individual from the market as well as from the state, and that underlines the active freedom to hold both political and economic power to account as well as the passive freedom from political and economic intervention, can ensure that the press and the public are truly free.

(Ibid.: 29)

Those opposed to interventionist measures argue that existing laws are adequate to deal with any misdemeanours committed by ‘individual’ journalists, and that government-sponsored regulation would have a ‘chilling effect’ on the industry, particularly investigative journalism (O’Neill, 2013). Indeed, as Luckhurst (2012) reminds us, it was the *Guardian*’s investigation into phone hacking that led to an inquiry into the ethics and practices of the press in the first place, in which he argues: ‘Were the superb work the *Guardian* did to expose phone hacking to result in state-supervised regulation of British newspapers, the injustice would be grotesque’ (Luckhurst, 2012: 29).

PART 2: THREE MODELS OF MEDIA-STATE RELATIONS

The theoretical starting point for this thesis rests on models of media-state relations that have traditionally been applied to wartime reporting and ongoing conflict situations (e.g. the Israeli-Palestinian conflict). A large majority of media-

state relations research has been in the realm of foreign policy (Althaus et al., 1996; Balabanova, 2007; Bloch & Lehman-Wilzig, 2002; Gilboa, 2002, 2005; McLean & Patterson, 2006; Robinson, 2001, 2002a, 2002b; Wood & Peake, 1998; and Zaller & Chiu, 1996). Moreover, critics have argued that such studies have usually involved US-developed models of media-state relations applied to US-contexts (Archetti, 2008; Brants & Voltmer, 2011; Halttu, 2007; Robinson et al., 2009; Walgrave et al., 2008). Scholars such as Archetti (2008) have argued that ‘indexing cannot apply to foreign [non-US] countries because the dynamics it postulates are based on a specific idea of the role of the journalist in society and the nature of press-government relations’ (Archetti, 2008: 6). Indeed, Bennett (1996), the originator of the indexing hypothesis, also questioned its cogency outside of the US, as ‘other democracies organize press coverage on the basis of different normative understandings about power, citizen information, and the role of the press in political communication’ (Bennett, 1996: 376). Bennett and Entman (2001) have also acknowledged that US-conceived models of media-state relations pose problems for cross-country comparative study.

Comparative analysis is challenging for many reasons, not the least of which is that at some level of specificity, every nation, locality, institution, culture, and communication system is unique. At the other extreme, attempts to force generalizations for the sake of advancing contentious theories do not serve the cause of understanding political experience at the human level.

(Bennett & Entman, 2001: 9–10)

Even when comparing the US and UK media systems – two countries that share many socio-economic and cultural norms – the differences are apparent. For example, considering the size of the US, there are relatively few national newspapers compared to the UK, and the US press is not deemed as overtly partisan in terms of its political coverage as is the UK press. As Sparks affirms, whilst there are ‘a large number of newspapers in the US...[these] overwhelmingly...enjoy local monopolies. Even where there is competition...the number of competing titles is tiny. Consequently, partisanship and social stratification of readers, which are such strong features of the European press, are much less present in the US case’ (Sparks, 2007: 77). However, Bennett and Iyengar (2008) argue that the US media deliberately appears to be moving away from the model of professional objectivity toward more partisan journalism:

As part of the American audience polarizes over matters of politics and public policy, it is possible that rational media owners stand to gain market share by injecting more rather than less political bias into the news...politically slanted news programming [such as Fox News] allows a new organization to create a niche for itself.

(Bennett & Iyengar, 2008: 723)

Nonetheless, the impact this might have on future US media-state nexus research paradigms and their applicability to media systems outside of the US remains to be seen. Thus, for now, rumination of the differences between the US and the UK media systems in terms of their normative cultural, institutional and journalistic routines must be considered when applying US-developed models to UK contexts.

2.2 Introducing the Research Paradigms

Despite the challenges associated with the level of fit between US-originated models and their applicability to non-US contexts, Halttu's (2007) cross-country comparative study of the press reporting of the Iraq war 'indicates that theories of media-state relations predict the behaviour of Finnish and British press rather well, although the editorial policy of the news outlet may play a more important role in the European context than is assumed by the US-originating theories of media-state relations' (Halttu, 2007: 264). Similarly, other researchers have adapted media-state relations theories that have typically been applied to the US foreign policy domain to other policy contexts. For example, Howarth (2010) drew on Robinson's (2001) media influence frameworks to analyse media impact on GM food policy in Britain. Howarth found that 'modified versions of Robinson's core concepts of ambiguity and uncertainty' transposed well to the UK context in explaining the conditions that might determine media influence on policy outcomes (Howarth, 2010: 148). Similarly, for their study on UK media performance in wartime, Robinson et al. (2010) drew heavily on the theoretical frameworks employed by Hallin (1986), originally applied to US coverage of the Vietnam War, and Wolfsfeld (1997), originally applied to Israeli media coverage of the Middle East conflict.

This thesis draws on the works of Robinson and his colleagues (Goddard et al., 2008; Murray et al., 2008; Robinson et al., 2006, 2009a, 2009b, 2010), who '[used] the broad categories of "elite-driven", "independent", and "oppositional" in order to differentiate between theoretical positions, each of which makes

distinct claims with regard to media-state relations. Within these broad categories...there exist a range of specific hypotheses or models' (Robinson et al., 2009b: 536). In their Iraq war study, Robinson et al. (2010) synthesised a range of theories relative to each category, drawing heavily on the tripartite frameworks of Hallin's (1986) media spheres and Wolfsfeld's (1997) political contest model. Before outlining the three models of media performance proposed by Robinson et al. (2010) and the modifications made for the purposes of this thesis, this section will briefly outline the models originally conceived by Hallin (1986) and Wolfsfeld (1997).

In theorising his model, Hallin (1986) believed that US journalism was 'governed by [three] different journalistic standards', which he defined as the 'spheres of consensus, controversy and deviance' (Hallin, 1986: 116–117). The 'Sphere of Consensus' predicated that 'journalists do not feel compelled either to present opposing views or to remain disinterested observers. On the contrary, the journalist's role is to serve as an advocate or celebrant of consensus values' (Ibid.: 117). The 'Sphere of Legitimate Controversy' related more to 'electoral contests and legislative debates', which was 'defined primarily by the two-party system [i.e. debate between the main political parties]...as well as by the decision-making process in the bureaucracies of the executive branch' (Ibid.: 116). This sphere is closely aligned to the journalistic ideal of objectivity and balanced reporting. Whilst the 'Sphere of Deviance' relates to 'those political actors and views which journalists and the political mainstream of the society reject as unworthy of being heard...[with journalists playing] the role of exposing, condemning, or excluding

from the public agenda those who violate or challenge the political consensus’ (Ibid.: 117). In its reporting of the Vietnam War, Hallin found that generally the press operated within the spheres of consensus or legitimate controversy, with ‘[most] press reports, particularly on the front page, still simply [reporting] official statements at face value’ (Ibid.: 118).

For Wolfsfeld (1997), the news media during political conflicts²⁷ should be viewed ‘in terms of a continuum of independence’, in which he posits three distinct media positions (Wolfsfeld, 1997: 69). At one end of the spectrum, the ‘news media serve as *faithful servants* to the authorities’, relaying the official version of events whilst ‘ignoring or discrediting challengers’ (Ibid.). Wolfsfeld found that there were more instances of ‘faithful servant’ coverage during ‘times of national crisis and war’ (Ibid.). In the middle of the spectrum, ‘the news media act as *semi-honest brokers* by offering challengers a significant amount of time and space to air their views against the authorities’ (Ibid.). The media were most likely to adopt this position during ‘domestic debates over controversial issues’ with debate still largely indexed to officials and oppositional political elites (Ibid.). At the far end of the spectrum, the media act as ‘*advocates of the underdog* by amplifying the claims of challengers against authorities’ (Ibid.). This, for Wolfsfeld (1997), is the news media at its most independent, largely eschewing officialdom to champion the causes of victims and draw attention to

²⁷ In terms of Wolfsfeld’s usage of the term ‘political conflict’, he has defined inter alia the wars in Bosnia and Iraq, protests in Tiananmen Square and Eastern Europe against Communist regimes, and Pro-Choice/Life movements in the US, as political conflicts, with the various actors involved competing to control the news agenda (Wolfsfeld, 1997: 2). Wolfsfeld’s study dealt primarily with *unequal* political conflicts in the Middle East. Specific case studies included the 1993 Oslo peace accords, the first Palestinian Intifada and the 1991 Gulf War.

injustices (Ibid.: 70). Acknowledging that there is a degree of ‘theoretical overlap’ with Hallin’s (1986) model, Wolfsfeld (1997) argues that ‘Hallin’s model excludes the possibility of the news media serving as advocates for challengers...[which] is a particularly significant exception in which the press becomes a full participant in the conflict’ (Ibid.: 71).

2.3 Elite-Driven Model of Media-State Relations

Mermin’s assertion that ‘[t]he job of an independent press is not just to report the words and deeds of official actors, but to offer a perspective based “outside the government”’ (Mermin, 1999: 144) is generally accepted as an unattainable journalistic ideal amongst elite-driven theorists. Herman and Chomsky’s (1994 [1988]) manufacturing of consent thesis is perhaps one of the most well-known contributions to the elite-driven paradigm, with one of the model’s key filters being the over-reliance of journalists on official sources, which consequently leads to coverage that serves elite interests.²⁸ Moreover, Herman and Chomsky (1994) assert that the media is not only complicit in propagandist campaigns initiated by the government, but is often a co-conspirator in propagandising issues that are of mutual benefit to the media and government (Herman & Chomsky, 1994: 33). Whilst political economy theory is more closely aligned to traditional Marxist positions, namely that the media acts in symbiosis with the state to manipulate public opinion, hegemony theory essentially views the media as

²⁸ The propaganda based ‘manufacturing of consent’ thesis predicates that news values are determined by five ‘filters’ that function to propagandise elite interests, whilst marginalising or denigrating dissenting voices that threaten the status quo (Herman and Chomsky, 1994 [1988], 2004). These interrelated filters ‘derive from the fact that the dominant media are firmly imbedded in the market system’, and are influenced by ‘ownership, advertising, sourcing, flak, and anticommunist ideology’ (Herman, 2003: 2-3).

biased toward state and corporate elites (the media itself being a part of the corporatist sector), but that the struggle for hegemonic supremacy takes a much more subtle form. Tankard (2001) provides a useful definition of media hegemony, which he 'viewed as a situation in which one frame is so dominant that people accept it without notice or question' (Tankard, 2001: 97). Whilst for Gitlin (1980), Gramsci's concept of hegemony provides a useful framework in which to explain the media-state nexus in contemporary democratic societies. On defining his understanding of Gramsci's theory, Gitlin (1980) writes:

[T]hose who rule the dominant institutions secure their power in large measure directly and indirectly, by impressing their definitions of the situation upon those they rule and, if not usurping the whole of ideological space, still significantly limiting what is thought throughout society...Hegemony is done by the dominant and collaborated in by the dominated.

(Gitlin, 1980: 10)

In their seminal work, *Policing the Crisis*, Hall et al. (1978) were amongst the first UK-based scholars to draw on the subtler suppositions of the Gramscian hegemonic model, arguing that media bias toward official sources was mainly due to normative journalistic practices, rather than a contrivance between corporate and political elites to win public consent. Hall et al. (1978) believed that the media's dependence on official sources propelled the crime of mugging to the top of the media agenda, which in turn enabled the government to introduce a range of legislative measures to deal with the 'mugging crisis'. Despite some dissensus

amongst the media, Hall et al. (1978) asserted that generally, the media were crucial in replicating and maintaining the elite consensus.

The media thus help to reproduce and sustain the definitions of the situation that favour the powerful, not only by actively recruiting the powerful in the initial stages where topics are structured, but by favouring certain ways of setting up topics, and maintaining certain strategic areas of silence. Many of these structured forms of communication are so common, so natural, so taken for granted, so deeply embedded in the very communication forms which are employed, that they are hardly visible at all, as ideological constructs.

(Hall et al., 1978: 65)

More recently, explanations for the elite-driven model have typically been associated with Bennett's indexing hypothesis, which predicates that journalistic norms dictate that the 'news is indexed implicitly to the dynamics of governmental debate' (Bennett, 1990: 108), with '[a] closely related second rule of political coverage [involving] keying a story to disagreements among officials – particularly officials with the power to affect the outcome of the developing news events' (Bennett, 1996: 376). Bennett goes on to argue that '[such] conflict serves as a signal for journalists to expand a story to encompass the views of experts, social groups, opinion polls, and other sources that reflect the observed differences among powerful politicians' (Ibid.). The endurance of Bennett's model is not without substance, as demonstrated by a raft of studies that have

found consistent evidence to support the indexing hypothesis (Althaus et al., 1996; Groshek, 2008; Mermin, 1999; and Zaller and Chiu, 1996).

Despite Bennett's misgivings about the applicability of his model beyond the confines of the US experience, British scholars have also found that the UK media rely heavily on official sources, which in turn has a significant impact on the shaping of news agendas (see, for example, Lewis et al., 2006; and Schlesinger & Tumber, 1994). Whilst Davis (2010) asserts that the relationship between politicians and journalists is a symbiotic one, with 'politicians [needing] publicity and journalists [needing] high-level access and story information', he suggests that the balance of power lies with politicians (Davis, 2010: 68). Indeed, Barnett and Gaber (2001) posit that the arguments put forward by Hall et al. (1978) have endured. In relation to media-source relations under the New Labour government, Barnett and Gaber (2001) found that a key pressure point was the 'changing nature of the relationship between political journalists and formal political sources – in particular, the ways in which greater power [was] being exercised by government sources to the detriment of the other' (Barnett & Gaber, 2001: 4).

Nonetheless, challengers of the indexing hypothesis have also presented persuasive arguments in terms of its ineffectiveness in some cases. For example, whilst Archetti's (2008) study of news coverage of foreign policy in non-US contexts did not include a UK case study, it did raise important questions around 'how to establish the relationship between political debate and media coverage in empirical terms; and...how to draw conclusions from the data', especially as

official sources are always likely to be the most newsworthy and thus it is inevitable that there will be some degree of 'indexing' to elite debate (Archetti, 2008: 7). This thesis adopts a similar position, which is reflected in the adaptations made to the elite-driven model employed in this study. Essentially, this study investigates the framing of parliamentary debate, with the debates themselves largely constituting the news topic. Thus, it is reasonable to expect that the debates will be indexed to both official government sources and elite challengers. For journalists to do otherwise would contradict established journalistic norms and conventions, regardless of the ideological direction of a particular newspaper. Moreover, as official sources constitute the most newsworthy actors, consideration of the findings must be viewed within broader journalistic cultures and working practices. More importantly, a preponderance of elite sources does not necessarily suggest that the press reporting reflected the elite-driven perspective, i.e. the press might well have contested the government's preferred frame in favour of coverage that reflects independent or oppositional arguments.

Whilst the media can certainly be seen as an influential agent in shaping 'policy processes, the content of policy debates and the institutional contexts of policymaking', critics have argued that the extent of this influence depends on the policy domain and timeframe in which the debate occurs (Koch-Baumgarten & Voltmer, 2010: 224). For Lawrence, in the realms of foreign policy and national security the 'media typically show less independence in framing issues and events, instead tending to rely heavily on high government officials to frame the news' (Lawrence, 2010: 267). Indeed, the most cited reasons for media deference

in times of national crises are due to the constraints of journalists' dependence on official sources, patriotism and/or ideology (Robinson et al., 2010: 35). Citing the British media coverage of the Falklands war as a prime example of the dominance of both official sources and 'patriotism' in narrowing the parameters of debate, Wolfsfeld (1997) argued: 'Once the enemy had been defined and engaged, the news media became a passive transmission belt for official frames intended to build up domestic and international support' (Wolfsfeld, 1997: 69).

It is instructive to note that whilst the anti-terrorism legislative debates were not subject to the same 'patriotism' constraints inherent in wartime reporting, the policy debates did fall under the rubric of the 'war on terrorism', with the government explicitly employing the tropes of war to defend its policies. Indeed, from the very beginning, Blair defined the 9/11 attacks as an act of war,²⁹ with the legislative responses bracketed as the domestic defence against the new globalised terrorism threat. As scholars have argued, 'in the scope and consequences of its policy-shaping impact [on domestic and foreign policy], the War on Terror may be the most important frame in recent memory' (Reese & Lewis, 2009: 778). Moreover, in terms of the ideological constraints imposed on media reporting during national crises, the 'war on terror' frame (Domke, 2004; Jackson, 2005) can be seen as a direct successor of the anti-communist frame (Hallin, 1986; Herman & Chomsky, 1994[1988]) during the Cold War, both of which 'have been advanced as explanations for supportive coverage' (Robinson et al., 2010: 37).

²⁹ For example, in an interview with CNN on 16 September 2001 Blair declared: 'Whatever the technical or legal issues of that declaration of war, the fact is we are at war with terrorism. What happened on Tuesday was an attack not just upon the United States but upon the civilised world...it is a war, if you like, between the civilised world and fanaticism' (Blair, 2001).

To conclude this section, the elite-driven model proffered by Robinson et al. (2010), is broadly related to Hallin's (1986) 'sphere of consensus' and Wolfsfeld's (1997) 'faithful servant' concept, with both categorising media coverage as supportive of the government agenda.

2.4 Challenging the Elite-Driven Thesis: Models of Press

Independence

Negrine (1989) argues that, whilst the press still draw on historic justifications for its 'fourth estate' status in contemporary society, these arguments are based on 'ideas whose true meanings are but a memory of past struggles in very different circumstances' (Negrine, 1989: 28). Whereas the elite-driven model is based on theories of hegemony and indexing, both of which 'perceive the media as too subservient to the government' (Entman, 2004: 4), the libertarian and the social responsibility models position the press as independent of government control. Whilst the libertarian model predicated that the main purpose of the press was 'to help discover truth and to check on government', this view was complicated by 'the reality that newspapers...were no more than private organs for private gain' (Negrine, 1989: 29). In an attempt to mitigate the problems associated with the commodification of the press, the social responsibility model assumed that the press had 'obligations to provide information, to allow a diversity of views to be printed, to encourage the best and most professional of journalistic activity so as to pursue truth and knowledge' (Ibid.). However, as many critics have argued (Curran, 2002; and Curran & Seaton, 2009), '[a] critical revision needs to think

further not only about the functioning of the public sphere, but also about the idealist premises of liberal theory. The traditional justification for media pluralism – that truth will automatically confound error in open debate – now seems implausible’ (Curran, 2007: 29).

Whilst the main challengers to the elite-driven thesis are the independent model and the oppositional model, Robinson et al. (2010) argue that ‘the notion of an independent and objective news media...has traditionally received little in the way of empirical and theoretical support from the field of political communication’ (Robinson et al., 2010: 40). Moreover, research that has provided ‘empirical support’ for the oppositional model ‘is understood as an even rarer phenomenon’ (Ibid.: 46). Nonetheless, there is evidence that the media have provided some degree of independent reporting, but this has been determined by a particular set of circumstances. For Bennett (1990), Hallin (1986), Wolfsfeld (1997) and Robinson et al. (2010) ‘independent journalism can occur only as a function of elite political disagreement and/or [policy] uncertainty’ (Robinson et al., 2010: 41).

Another major factor in explaining independent or oppositional reporting is the end of the Cold War, which had previously placed considerable ideological constraints on the ways in which the media reported particular conflicts. Hallin (1986) found that during the reporting of the Vietnam War, whilst there was some elite dissensus, this always tended to operate within the sphere of legitimate controversy. Whereas media coverage that reflected anti-war views was largely

absent, presumably for fear of being labelled as an apologist for Communist ideology. More recently, Entman has put forward the ‘cascading activation’ model that, ‘highlights what the hegemony model neglects: that the collapse of the Cold War consensus has meant [that] differences among elites are no longer the exception but the rule’ (Entman, 2004: 5). In his study on media contestation of the White House’s framing of 9/11, Entman found that whilst the media ‘patrol the boundaries of culture and keep discord within conventional bounds...inside those borders, even when government is promoting “war”, media are not entirely passive receptacles for government propaganda’ (Entman, 2003: 428).

Nonetheless, the cascading activation model still relies on ‘elite discord [as] a necessary condition for politically influential frame challenges’ (Ibid.: 415). The decline in patriotism in the UK has also been viewed as a major factor for more independent reporting, as Tumber and Webster (2006) argue: ‘[In] most advanced societies outside of the United States, heroic nationalism holds less of an appeal. There is a heightened awareness of the artificiality of national frontiers...in countries like Britain, nationalism is on the ebb’ (Tumber & Webster, 2006: 163).

However, the arguments presented in this thesis draw mainly on theories relating to ‘new institutionalism’, which ‘[articulate] the importance of understanding news media as an actor that, at the very least, is semi-autonomous’ (Robinson et al., 2010: 42). As Robinson et al. (2010), go on to explain: ‘At the core of this approach is an attempt to take seriously the analytical and explanatory significance of media systems, considering them to be more than just passive transmitters of political and economic elite interests’ (Ibid.). Indeed, as discussed

in the first part of this chapter (with further discussion on the political ideology of the press in Chapter 3), the British press differs significantly from other media systems, insofar as ‘newspapers still tend to endorse political parties or their policy ideas at election times and to remain broadly supportive of, or critical towards, the party in power. It is common also for newspapers to attempt to influence the policy agenda themselves through the pressure that they place on politicians’ (Goddard et al., 2008: 13).

In terms of oppositional coverage, unexpected events can often lead to coverage that goes beyond the bounds of elite debate. Two such examples of an unexpected event include the US media coverage of police brutality in the case of Rodney King and the criticism of President George W. Bush in his handling of Hurricane Katrina. Indeed, with the advent of new media and social media, event-driven reporting may well become the norm, usurping the power of elite sources over the news media. Indeed, the terrorist attacks on the London transport system on 7 July 2005 is a prime example of the public as news gatherers and reporters, with the BBC receiving 22,000 emails and texts, as well as photographs and user generated videos of the events in London that day (Franklin, 2008: 4; and Sambrook, 2005). Consequently, several news websites, most notably BBC News Online and theguardian.com, created space for the public to publish eyewitness accounts, as well as to provide photographs and video footage taken on mobile phones. Both websites also made extensive use of the blogosphere by including Londoners’ accounts of the day’s events (Allan, 2006: 149). Citizen journalism has also played a role in bringing social injustices to light, such as the role of UGC (user

generated content) in exposing the unlawful killing of Ian Tomlinson by a police officer during the 2009 G20 summit protests in London, which in turn shifted the news framing of the demonstrations from ‘protester violence’ to ‘police violence’ (Greer and McLaughlin, 2010).

To conclude this section, the independent model proffered by Robinson et al. (2010) is broadly related to Hallin’s (1986) ‘sphere of legitimate controversy’ and Wolfsfeld’s (1997) ‘semi-honest broker’ concept, with both defining media coverage as balanced and receptive to views beyond the government perspective. Whilst the oppositional model conceived by Robinson et al. is similar to Hallin’s (1986) ‘sphere of deviancy’ and Wolfsfeld’s (1997) ‘advocate of the underdog’ model. However, Robinson et al. conceptualise oppositional media coverage ‘more broadly’ by ‘referring not only to instances of news media support for non-elite groups but also to coverage that opposes government policy (whether or not it might be advocating the interests of non-elite groups)’ (Robinson et al., 2010: 35). The following section will further discuss the tripartite models of Robinson et al. (2010) and explain how these models have been applied to the present study.

2.5 Applying the Media Performance Models of Robinson et al. to the Domestic Policy Domain

To provide a theoretically informed understanding of the government-press dynamic during the terrorism legislative debates, this thesis employs the three competing models of media performance (elite-driven, independent and

oppositional) proposed by Robinson et al. (2010). Although originally applied to the foreign policy domain, Robinson et al. (2010) surmised that their analytical framework might also transpose well to other policy fields.³⁰ This thesis makes a modest attempt at testing the cogency of their conceptual framework by applying it to the domestic policy domain. This section summarises how the three models of media performance were operationalised in the Iraq War study, before discussing how these models have been interpreted and applied to the present study. In brief, this thesis examines the press material within the same elite-driven framework as Robinson et al. However, to enable a clearer distinction between government/official positions and non-government elites the elite-driven paradigm has been more narrowly defined as government-driven. Similarly, the independent and oppositional models have been more narrowly defined. Here, the independent model places more emphasis on theories of new institutionalism, particularly in relation to the system characteristics of the British press, whilst downplaying the other normative interpretation of press independence (i.e. the professional ideal of journalistic objectivity) on the grounds that it is ‘more imagined than real’ (Robinson, 2011). Equally, the oppositional model departs from some of the normative understandings of the model by moving beyond the confines of non-elite challengers to include elite challengers who reflect the concerns of the civil liberties lobby. For clarity, Table 2.1 provides a summary of each media performance model and its corresponding meta-frame, as well as the type of coverage each model/frame would predict. The concluding chapter will

³⁰ See Chapter 3 for a fuller discussion.

evaluate the cogency of these three models of media performance as applied to this particular study.

Table 2.1 Media Performance Models and Corresponding Frames

MODEL	FRAME	DEPICTIONS
Government-Driven Press coverage will largely be supportive of the government and its policy aims, with much of the coverage reinforcing the government's preferred security frame.	Security	Legislation is a proportionate response to the current threat level; Government is tough but even-handed in its approach to handling the terrorist threat. Oppositional perspectives are illogical, undemocratic and unpatriotic in the face of the current threat.
Oppositional Press coverage will largely be against the government and its policy aims, with much of the coverage reinforcing the discourse of politicians, peers and interest groups that oppose the legislation due to its negative impact on civil liberties.	Civil Liberties	Legislation is undermining civil liberties; Negative impact on individuals' human rights; Government is excessive and authoritarian in its approach to dealing with the terrorism threat; Oppositional arguments depicted as rational and apolitical in tone.
Independent The press will largely use the legislative debates as a conduit either to criticise the politics of New Labour or to focus on the political conflict between or within parties. Coverage will reflect traditional political and ideological biases. Consideration of the legislation itself will be limited, often reflecting a neutral editorial stance.	Politics	Negative depictions of New Labour's policies and governance; Personal attacks on Blair/Brown leadership and/or attacks on the competency of Home Secretary; HRA and ECHR heavily criticised; Disharmony within the Labour Party used to undermine government authority.

Government-Driven (Elite-Driven) Model

When theorising media performance in wartime, Robinson et al. proffered that 'the elite-driven model would predict coverage that reinforces official

justifications for war and avoids substantive criticism’ (Robinson et al., 2010: 538). Moreover, coverage would be patriotic and supportive of both the military (i.e. ‘our boys’) and the government, whilst oppositional perspectives would be subject to criticism, downplayed or ignored entirely. They found that coverage in the *Sun*, the *Daily Mail*, the *Times* and the *Daily Telegraph* tended to reflect the elite-driven model, whilst the *Mirror*, the *Guardian* and the *Independent* provided more instances of independent or oppositional coverage. In attempting to explain the reason for the prevalence of supportive coverage amongst much of the British media (broadcast news and national press), Robinson et al. point to several ‘explanatory variables associated with the elite-driven model – patriotism, the ideology of humanitarianism and...reliance upon official sources’ (Ibid.: 164). Overall, they found that much of the news media failed to challenge the coalition’s justifications for war or the official framing of the allied military incursions, especially echoing the official language pertaining to military successes. Whilst there was some variation amongst the national press, ‘supportive battle coverage prevailed even among newspapers that had opted to oppose the war’ (Ibid.: 104).

The elite-driven thesis conceived by Robinson et al. has been adopted for the present study, albeit with modifications that fit the particular circumstances of the case studies. As previously mentioned, the case studies focus on the news framing of parliamentary debate in the domestic policy domain. It is therefore reasonable to assume that the debates will largely be indexed to government and other political elites. This, then, requires a definition of ‘elite-driven’ that clearly

distinguishes between government positions and non-government elite positions. In the Robinson et al. study, elite sources encompassed a 'coalition' of elite actors, including UK and US government officials and military spokespersons. Here, the focus is on the extent to which the press supported or challenged the government agenda, and as such, it is more apt to provide a narrower interpretation of the elite-driven paradigm. Thus, elite-driven has been redefined as government-driven. The government-driven model would expect coverage that is supportive of the government and its policy aims, with much of the coverage reinforcing the government's preferred 'security' frame. Depictions relating to the security frame would include the legislation being defined as a proportionate response to the current threat level, with the government being portrayed as tough but even-handed in its approach to handling the terrorist threat. Oppositional perspectives are likely to be depicted as illogical, undemocratic and unpatriotic in the face of the current threat. There is also likely to be a high level of government source representation. However, it is important to note that a preponderance of government sources does not necessarily suggest that the press reporting reflected the government-driven perspective, i.e. the press might well have contested the government's preferred frame in favour of coverage that reflects independent or oppositional arguments. Thus, both of these conditions will need to be met to qualify as supportive coverage.

Oppositional Model

In terms of what kind of coverage the oppositional model would predict, Robinson et al. '[expected] to find coverage which incorporate[d] information

from government sources but [was] dominated and shaped by the viewpoints of those challenging them' (Robinson et al., 2009: 541). Contra to the elite-driven paradigm, coverage would focus on military failures as well as include 'a preponderance of "substantive" criticism' of government policy (Ibid.). Robinson et al. identified three newspapers that took an anti-war stance: the *Mirror*, the *Guardian* and the *Independent*. Oppositional coverage was especially prevalent when reporting civilian and military casualties.

The oppositional model adopted for this thesis relies heavily on the one proposed by Robinson et al. However, as mentioned above, it allows for the inclusion of elite challengers who offer a profound challenge to government policy in the interests of the civil liberties lobby. Press coverage that reflects the oppositional model will be characterised as being largely against the government and its policy aims, with much of the coverage reinforcing the discourse of politicians, peers and interest groups that opposed the legislation due to its negative impact on civil liberties. The meta-frame is civil liberties, with the press coverage defining the debates as a disproportionate legislative response. Moreover, coverage will overwhelmingly reflect the civil liberties perspective, albeit as communicated by elite challengers.

Independent Model

As Robinson et al. point out, 'while supportive coverage can be defined and operationalised with relative ease through reference to existing descriptive studies of wartime news media coverage, few studies provide a clear idea of what

negotiated [independent] coverage might look like' (Robinson et al., 2010: 44). In terms of what kind of coverage the independent model would predict, Robinson et al. expected more impartial accounts of the conflict, which would include a balance of perspectives, as well as occurrences where journalists followed their own agenda (i.e. coverage that moved beyond the confines of the news agenda set by the coalition). Furthermore, the model predicted that coverage would be more questioning of official accounts of the war. They cite *Channel 4 News* as being exemplary in its commitment to independent reporting during the Iraq War, instances of which were most often seen when 'unexpected, dramatic and disturbing events [occurred] beyond the control of authorities' (Ibid.: 125). Moreover, despite being 'embedded journalists', *Channel 4 News* reporters were reluctant to take official accounts at face value. Indeed, by drawing 'attention to what they had been directed to say or show visually' the reporters in fact 'provided a metacommentary on the coalition's media-management strategies' (Robinson et al., 2009: 552). Similarly, the *Mirror*, the *Guardian* and the *Independent* were also singled out for providing alternative accounts of the conflict. For Robinson, these findings '[speak] directly to new institutionalist and field theory accounts of news media. At the core of these relatively new accounts is an attempt to take seriously the analytical and explanatory significance of media and media systems' (Robinson, 2011). Drawing on Benson (2004; 2006), Robinson argues that new institutionalism theory highlights 'how differences in the structure, history and organization of national media systems generate different patterns of media performance and different levels of independence and autonomy' (Robinson, 2011). As discussed elsewhere in this thesis, the British

press is a commercial and highly competitive media system, which caters to a socially diverse readership. It also has a long tradition of political and ideological partisanship, and crucially, is not subject to the same regulatory constraints as the broadcast media.

This study prioritises the theories of new institutionalism in explaining the independent model as it applies to the British context, particularly focusing on the system characteristics of the national press.³¹ As Robinson (2011) has pointed out, other normative interpretations of press independence within the liberal tradition, namely the professional autonomy thesis, are perhaps overstated. Indeed, the clearest indication of professional autonomy could be found amongst *Channel 4 News* reporters. This fits with Robinson's claim that 'national media systems with a significant public-service ethos and structure are likely to generate news that is less commercial and sensationalist than a media system dominated by commercial media' (Ibid.). That said, this thesis recognises that there might well be occurrences of genuine journalistic autonomy, but that most journalists will, to varying degrees, reflect the political and ideological biases of their particular newspaper.

Press coverage that reflects the independent model will be characterised as largely using the legislative debates as a conduit either to criticise the politics of New Labour or to focus on the political conflict between or within parties. Consideration of the legislation itself will be limited, often reflecting a neutral

³¹ See Chapter 3 for a fuller discussion of the political and ideological biases of the British press.

editorial stance. The meta-frame is politics, with the media package reflecting a party politics focus. Overall, coverage will tend to reflect traditional political and ideological biases. Common depictions will include negative representation of New Labour's policies and governance, as well as personal attacks on Tony Blair or Gordon Brown or the incumbent Home Secretary. There is also likely to be a heavy focus on the disunity within the Labour Party, which will be highlighted as a means to undermine government authority. Traditional biases against the Human Rights Act and the ECHR will also be present in the coverage.

Whilst the independent and oppositional models proffered by Robinson et al. offer a valuable framework in which to analyse the domestic policy debates, there were times when the distinction between what constituted independent coverage and oppositional coverage overlapped. Explanatory frameworks for press independence (at least in the broadest sense) could equally apply to both the oppositional model and the independent model insofar as both models would predict coverage that fails to support unquestionably the government agenda. Nonetheless, like Robinson et al. this thesis attempts to distinguish the different positions pertaining to each model, especially in relation to the type of coverage each would predict. Indeed, whilst both models predict instances where coverage will be antipodal to the government's position, a crucial difference between the two can be located in the focus of its coverage. The oppositional model predicts coverage that overtly challenges government policy, whilst the independent model predicts coverage that focuses on aspects of the debates that reflect the longstanding concerns and biases of particular newspapers. Accordingly, the

oppositional model adopted for this study is more closely associated with the 'Fourth Estate' thesis. As Robinson et al. argue: 'the argument underpinning oppositional journalism is that news media in a democracy are there to hold those in power to account by persistently asking difficult and challenging questions' (Robinson et al., 2010: 49).

2.6 Summary

The first half of this chapter reviewed the historical antecedents of the rise of the adversarial press in Britain and its relevance to contemporary contexts.

Consideration of press freedom is especially important as it still has significant bearing on contemporary debates about the role of the press in British society. As Negrine argues: 'one must not underestimate the importance of earlier ideas about press freedom, nor must one underestimate the extent to which these ideas still reside within more complex statements about the mass media' (Negrine, 1989: 23). The second half of this chapter detailed the tripartite models of media-state relations and their applicability to this thesis. Specific attention was paid to the ways in which these models have been adapted to suit the particular circumstances of the British press. In summary: whilst this thesis draws on the established arguments proffered within the elite-driven paradigm, it recognises that journalists' dependence on official sources does not necessarily provide substantive evidence that the press coverage reflects this model. Instead, such a finding needs to be considered in the round, i.e. when drawing overall conclusions, consideration of the degree of fit between source-relations findings and the extent to which the press framing of the debates reflected the official

government agenda, is required. Secondly, the independent model has been modified to reflect the adversarial nature of the British press. Thus, press criticism that might reflect the traditional ideological-political positions of a particular newspaper would be characterised as independent reporting insofar as coverage is not restricted to either official consensus or elite dissensus, but follows an independent, wholly partisan line of inquiry. For the oppositional model, this thesis retains many of the traditional arguments associated with this paradigm, but when press reporting reflects the civil liberties perspective, this is defined as oppositional despite it often reflecting elite dissensus. Thus, whilst civil liberty advocacy groups might not have direct representation in the press, their views may well be communicated via elite challengers. The next chapter provides further discussion of the three models of media-state relations, especially in terms of their incorporation into the overall analytical framework of this thesis.

CHAPTER 3

RESEARCH DESIGN

This thesis analysed the relationship between the British press and the New Labour government by means of a case study approach, focusing on the media framing of four pieces of terrorism legislation enacted after the events of 9/11.

The four case studies under examination are the:

- Anti-Terrorism, Crime and Security Act 2001;
- Prevention of Terrorism Act 2005;
- Terrorism Act 2006; and the
- Counter-Terrorism Act 2008.

This study has employed a similar epistemological line of enquiry as Robinson et al. (2006, 2009a, 2009b, 2010) who tested the congruency of competing theoretical positions of media performance during the 2003 Iraq war, namely the relative merits of the elite-driven (redefined in this thesis as government-driven), independent and oppositional models.³² Within this conceptual framework, the following research questions were formulated to assess how independently the press reported the passage of the abovementioned terrorism legislation, and how successful the government was in setting the media agenda.

³² See Chapter 2 for an elaboration of these models.

RQ1. Media attention:

- How prominent was the coverage?
- What issues received the most attention?
- Was there a quantitative change in coverage between 2001 and 2008?

RQ2. Sources:

- Who shaped the debates?
- Whose views were prioritised or marginalised?
- To what extent were the debates indexed to political elites?
- To what extent were the debates indexed to elite challengers?
- How prominent were non-elite views, such as human rights organisations or Muslim interest groups?

RQ3. Framing of debates:

- What were the dominant frames?
- To what extent did the media frame the debates within the broader frameworks of the “War on Terror”, human rights or civil liberties?
- To what extent did the media reinforce or criticise the official policy agenda?
- If relevant, which issues received the most criticism, and did these criticisms reflect conventional media positions?
- Was there a qualitative change in the tone of coverage between 2001 and 2008?

RQ4. Media relations:

- How successful were New Labour in setting and managing the media agenda?
- What was the media-political dynamic during the policymaking process?

Content analysis and framing analysis were the two primary methods employed in this study – the latter being the main technique in addressing question 3, and the former in addressing questions 1 and 2. These approaches were supplemented with in-depth interviews with four former home secretaries. These interviews were useful in tracing the linkage between press coverage of terrorism policy and the political decision making of key cabinet members involved in the formulation and enactment of the legislation. All three methods were employed to address the fourth research question. Method triangulation is often utilised by social scientists to examine the same object of analysis using a multi-method approach (Brannen, 1992: 11), and as such is designed to assuage the weaknesses and limitations of any one particular method (Arksey & Knight, 1999: 23) and to enhance the cogency of research findings.

Content analysis is a useful technique to determine quantifiable patterns of coverage and the substantive contents of visual and textual records. Units of analysis can be devised to measure the manifest or marginal properties of a media text, including the prevalence of topics, themes, elements of language and narrative structures, which can reveal the core ideological values embedded in a particular text, and consequently the ideological intentions of its producer.

However, as Hansen et al. (1998) note: ‘content analysis is and should be enriched by the theoretical framework offered by other more qualitative approaches, while bringing to these a methodological rigour, prescriptions for use, and systematicity rarely found in many of the more qualitative approaches’ (Hansen et al., 1998: 91).

Accordingly, this research also employs framing analysis drawing on the media-state theoretical approaches of framing analysts such as D’Angelo (2010, 2012), D’Angelo and Kuypers (2010), de Vreese (2005, 2012), Entman (1993, 2003, 2004, 2007, 2010), Entman et al. (2010), Lawrence (2010) and Reese (2001, 2007, 2010), and the social constructionist approaches of Gamson (1988), Gamson and Modigliani (1989), Pan and Kosicki (1993), and Van Gorp (2005, 2007). As Entman notes: ‘Successful political communication requires the framing of events, issues, and actors in ways that promote perceptions and interpretations that benefit one side while hindering the other’ (Entman, 2003: 417). Thus, framing analysis can provide a rigorous means for understanding how politicians and/or the media frame or define a particular issue or problem, and is often integrated into content analysis to evaluate the extent to which the media frame the government’s preferred version of events. This research particularly sought to assess whether the media accepted the government’s ‘framing of an issue or event at face value’ or whether they ‘reframed the actor’s point of view’ (Lawrence, 2010: 265).

However, framing analysis cannot be considered in isolation from theories of discourse, and thus discourse analysis informed the construction of the framing matrix. For this aspect, the research drew on the work of Fairclough (2000), Fowler (1991), MacDonald (2003), Mautner (2008), Pan and Kosicki (1993, 2001) Richardson (2007), van Dijk (1985, 1988) and Wodak (2008). As Deacon et al. (2007) point out, framing and discourse analysis 'are compatible with each other because of the way they help to provide a text or discourse with a central governing framework which conditions the meanings it produces' (Deacon et al., 2007: 160). However, it is instructive to note that this thesis does not take a formal discourse analytical approach. As scholars have maintained, formal discourse analysis techniques are usually applied to a much smaller sample, and thus would not be conducive to the aims of this particular study.

A growing body of work has examined the threat discourses inherent to the 'war on terrorism' thesis. Altheide's (2003; 2006a; 2006b; 2007) work on the politics of fear, and Jackson's (2005) study of the political construction of the 'war on terrorism' discourse are particularly apposite to the present research. Indeed, this thesis especially draws on Jackson's conceptualisation of the 'war on terrorism' discourse as outlined below. Altheide's work examines the politics of fear within the 'context of social control and change' after 9/11, especially focusing 'on how fear has become incorporated into political decisions, language, and much of everyday life' (Altheide, 2006a: 9). Moreover, Altheide contends that 9/11 led to a 'coalescing of the discourse of fear with terrorism' (Altheide, 2007: 304), which in turn 'enabled decision makers to couch control efforts as being in the best

interests of citizens in order to protect them' (Ibid.: 302). The threat discourses emanating from the New Labour government during the domestic 'war on terrorism' certainly confirm this view. One such example being Charles Clarke's address to the Labour Party conference in September 2005, in which he argued that the 'tough measures to confront terrorism' were vital to protect 'the British people'.

'[T]he threat of terrorism is real and it is here. It needs to be challenged with every weapon at our disposal. No-one can just close their eyes and hope it goes away...I believe that the British people expect from us not only the protection of individual rights but also the protection of democratic values such as safety and security under the law...We face an extremism that knows no bounds, a hatred unfettered by compassion or by the understanding of the worth of human life. In the face of this threat, we must act to defend our values, both by tough measures to confront terrorism directly, and by policies to remove the extremism that fosters it.'

(Clarke, 2005)

For Jackson, 'the "war on terrorism" is both a set of institutional practices and an accompanying set of assumptions, beliefs, forms of knowledge and political and cultural narratives' (Jackson, 2005: 16). The 'institutional practices' of the 'war on terrorism' encompassed global military campaigns, diplomatic offensives and domestic counter-terrorism drives. Jackson maintains that the political discourse was 'discursively constructed' to persuade the public that the practice of the 'war on terrorism' was necessary and morally justifiable (Ibid.: 18–19). He identified

four ‘primary narratives at the heart of the “war on terrorism” [discourse]...that taken together make up the whole’ (Ibid.: 153). These were:

- the 9/11 attacks were an act of war;
- terrorists were barbaric whilst citizens of the US and allied countries in the ‘war on terrorism’ were ‘innocent’ and ‘decent’;
- terrorism posed a ‘catastrophic threat’ to democracy and the very fabric of ‘our way of life’; and
- the ‘war on terrorism’ was a ‘purely defensive’ and ‘just war’, but more crucially a ‘new’ and ‘different’ type of war that required extraordinary measures.

(Ibid.: 5–6).

Whilst the British government did not employ the same level of militaristic language as the US government in terms of defining the 9/11 terrorist attacks as an ‘act of war’,³³ there is evidence that they reiterated many of the ‘war on terrorism’ narratives constructed by the Bush administration. For example, Blair and his Home Secretaries especially adopted the ‘Them’ and ‘Us’ paradigm when discussing Islamist terrorists, juxtaposing the barbaric qualities of the terrorists with the decency of the British public. Indeed, in the immediate aftermath of the 9/11 attacks, Blair was quick to categorise ‘these terrorists and those behind them’ as ‘the enemies of the entire civilised world’.³⁴

³³ For example, Walker argued that within the legal discourse the British government’s ‘dalliance with a “war model” has been confined to military operations in Afghanistan and Iraq’, with its ‘domestic application of executive powers’ largely eschewing the terminology of the ‘war on terrorism’ (Walker, 2009: 5). However, see Chapter 8 for examples of New Labour’s ‘war rhetoric’ when discussing the domestic terrorism threat.

³⁴ HC Deb 14 September 2001, vol 372, col 606

We are democratic. They are not. We have respect for human life. They do not. We hold essentially liberal values. They do not. As we look into these issues it is important that we never lose sight of our basic values. But we have to understand the nature of this enemy and act accordingly.³⁵

The threat narrative was also widely employed, as was the focus on the new type of war. For example, in his address to the nation on 20 March 2003, Tony Blair justified the US-led invasion of Iraq by emphasising both the ‘new threat of disorder and chaos’ and the ‘entirely different nature’ of the threat to British security.

The threat to Britain today is not that of my father's generation. War between the big powers is unlikely, Europe is at peace, the Cold War already a memory. But this new world faces a new threat of disorder and chaos born either of brutal states like Iraq armed with weapons of mass destruction or of extreme terrorist groups. Both hate our way of life, our freedom, our democracy. My fear, deeply held, based in part on the intelligence that I see is that these threats come together and deliver catastrophe to our country and our world...My judgement as prime minister is that this threat is real, growing and of an entirely different nature to any conventional threat to our security that Britain has faced before.

(Blair, 2003)

³⁵ Ibid.

One year later, Blair's speech on Iraq and the continuing threat of terrorism to Britain reiterates the same theme, with his key argument being that only by eradicating the global threat can Britain be truly safe from terrorism. He states: '[it] remains my fervent view that the nature of the global threat we face in Britain and round the world is real and existential and it is the task of leadership to expose it and fight it, whatever the political cost' (Blair, 2004). Similarly, speaking after the 7/7 attacks, Blair warned that '[t]he greatest danger is that we fail to face up to the nature of the threat we are dealing with' (Blair, 2005a). Again, when debating the case for increasing the detention limit to 90 days in the Commons, Blair focuses on the '[new] terrorism that wants to destroy our way of life'.³⁶

[W]e are living in a country that faces a real and serious threat of terrorism – terrorism that wants to destroy our way of life, terrorism that wants to inflict casualties on us without limit – and when those charged with protecting our country provide, as they have, a compelling case for action, I know what my duty is: my duty is to support them, and so is the duty, in my view, of every Member.³⁷

This theme of Islamist terrorism posing a 'catastrophic threat' to democracy and 'our way of life' also frequently surfaced in the press notices released by the Home Office. For example, Blunkett declared that, '[o]ur enemies who would seek to undermine and destroy our way of life are also operating in a new, globalised world...Modern civilised values are their target and our civilised values are used as the Achilles heel to destroy us' (Home Office, 2004). The

³⁶ HC Deb 9 November 2005, vol 439, col 297

³⁷ Ibid.

protection of ‘our values and our freedoms’ was also a fixture of the terminology used by Clarke during his stewardship of the Home Office (Home Office, 2005a).

For example:

The terrorist threat facing the UK is real and significant, and the Government is determined to do all it can to protect our citizens from groups who would try to destroy our society, our way of life and our freedoms’ (Home Office, 2005b)

The Government is determined to do everything possible to protect our citizens from those who seek to destroy our society, way of life and our freedoms (Home Office, 2006).

The starting point for the qualitative aspects of the textual analyses was to decide on whether to take an inductive or deductive approach. In brief, an inductive approach requires open coding and categorisation of the texts and is often applied to ‘cases where there are no previous studies dealing with the phenomenon or when it is fragmented’ (Elo & Kyngas, 2008: 107). A deductive approach requires that ‘all decisions on variables, their measurement, and coding rules must be made before the observation begins’ (Neuendorf, 2002: 11), and is often used ‘to retest existing data in a new context’ (Elo & Kyngas, 2008: 111). Numerous studies relating to media coverage of foreign policy have been conducted after 9/11, with the Israeli-Palestinian conflict (see, for example, Gaber et al., 2009; Handley, 2010; Noakes & Wilkins, 2002; O’Regan, 2007; Philo & Berry, 2004; and

Thomas, 2011 & 2012), and the 2003 Iraq war (see, for example, Christie, 2006; Entman et al., 2010; Gillespie, 2007; Groshek, 2008; Halttu, 2007; Kumar, 2006; Lewis & Brookes, 2004; Lewis et al., 2006; McLean & Patterson, 2006; O'Regan, 2008; Taylor, 2008; Tumber & Palmer, 2004; and Zollman, 2011) being particular fertile fields of enquiry – and as such there exists a rich resource of methodological examples to draw upon. However, there has been a dearth of research that deals specifically with press coverage of legislative debates, and very few that have focused exclusively on domestic terrorism policy in the context of media-state paradigms. Whilst this does provide opportunity to make an original contribution to this particular sub-category of political communications research, a lack of forerunners does present greater methodological challenges.

Studies that have obvious comparable topographies to this research include two US based studies that deal with the coverage of the Patriot Act.³⁸ Chang and Izard's (2009) study focused on the coverage of the Act in four newspapers, measuring the extent to which the press acted as 'faithful servants' to the government agenda (Wolfsfeld, 1997). They found that the press coverage of the Patriot Act focused on discourses of individual liberty, and that there appeared to be an increasing turn toward independent journalism with the press challenging the official line. Whereas Domke et al. (2006) looked at the extent to which political elites won consent among the press and Congress in passing the legislation, concluding that the press generally echoed the government's

³⁸ Also, see Bossio (2011), who examined the media representation of anti-terrorism legislation in the Australian context, concluding that there was a lack of contestation to the laws amongst the Australian press.

perspectives, which in turn had an impact on congressional decision makers. Taking a content analytic approach to framing, both studies found that the majority of political and media debates centred on two key divergent ‘themes’ (Domke et al., 2006) or ‘frames’ (Chang & Izard, 2009), that of national security as set against individual liberty.

Although not related to the field of terrorism policy, the methodology employed in another US based study has some resonance with this research. The study in question focused on how the media framed the legislative debates surrounding gun control over a period of several years (Callaghan and Schnell, 2001) and found that the media played an active role in shaping alternative policy frames, indicating a significant degree of media autonomy. A key starting point in the textual analyses conducted by Callaghan and Schnell (2001) and Domke et al. (2006) was the formal analysis of official and oppositional discourses, in the form of congressional debates, speeches and/or press releases, which were used as a comparable means to establish the repertoire of frames available. This study implements the same procedure by analysing the press releases of the government (which reflected the national security frame), and interest groups (which reflected the civil liberties frame), which informed some of the coding decisions relating to the signature matrix.

The textual analyses were carried out on press cuttings sourced from the British Library Newspapers collection in Colindale, London. Newspapers were selected as the object of study rather than television or online news because the press

continues to be seen as the primary definer of news agendas, often acting as an agenda setter for the broadcast news (Cricher, 2002; and Dearing and Rogers, 1996). Runciman (2011) provides an interesting discussion on the enduring importance of the press to politicians. For example, when David Cameron released a list of his media contacts in 2011, the overwhelming majority of these meetings were with the editors or proprietors of national newspapers rather than with television executives. The home secretaries interviewed for the purpose of this research also confirmed the primacy of the press above that of the broadcasters in terms of its agenda setting influence on the broadcast media as well as its bearing on the political process. Indeed, as Charles Clarke maintained:

It wasn't so much that they set the political agenda, although they did, it was that they set the broadcasting media agenda, and so politicians had been brought up on the idea that what really influenced peoples thinking was the broadcasting media, particularly television. And, the *Mail* in particular was very effective in determining what would be the news story that day. Now, it did affect politicians directly as well, I'm not saying it didn't, but its direct effect through the broadcasting media was real.

(Interview with author, 4 February 2014)

The print editions of the newspapers were selected for reasons of accessibility, but more importantly to ensure uniformity across the sample. The fluid nature of the news environment in the internet age often results in online copy being continuously updated as new facts relative to a particular story come to light, whereas the asynchronous nature of the print versions allow for a static record of

the previous day's events and makes comparison of factual and opinion-led content far easier. It also allowed for the inclusion of a story prominence variable, taking into account the page in which the item appeared as well as its contextual features, which would not have been possible if only consulting the article online or via a news database such as LexisNexis. Another reason for eschewing the use of LexisNexis or its counterparts in favour of the print versions is due to concerns over its reliability as a data resource. In his study on the reliability of news databases in content analysis research, Deacon (2007) found instances of missing or duplicated content and inconsistencies in the unitisation of news, whereby two or more news items were amalgamated into one news story, meaning that the reliability and validity of any statistical findings could be in question. Indeed, Deacon contends that the over reliance on digital databases means that 'a lot of important evidence is lost in translation', believing that researchers 'should still aspire to analyse media content in its original form wherever possible' (Deacon, 2007: 23).

As mentioned above, a comprehensive review of policy documents and parliamentary speeches was made to determine the key issues and prevailing discourses around terrorism policy. Many of these sources were obtained via the UK Parliament website. In addition, the entire archive of Home Office press releases on terrorism related matters released between 2001 and 2009 was obtained under the provision of the Freedom of Information Act. The press releases of civil liberties groups such as Liberty, JUSTICE and Article 19, and Muslim groups such as the Islamic Human Rights Commission were also

reviewed to determine the dominant issues and discourses that were promulgated by non-elite oppositional factions. These documents were valuable sources for establishing the dominant frames of both the government and those who opposed the terrorism bills.

To summarise, the primary stages of research were as follows: the first stage entailed a general review of the literature surrounding the theoretical and methodological frameworks applied to terrorism policy in the UK since 9/11. It also examined literature pertaining to the relationship between the media and Irish terrorism of the latter half of the twentieth century, mainly as a comparative component to the present war on terror. Finally, in terms of background research, sources surrounding some of the key issues relevant to the 'war on terror', such as New Labour's approach to foreign policy and conflict, as well as to issues around asylum and immigration, were also examined. At the same time, press cuttings sourced via the news database LexisNexis that dealt with terrorism legislation from 1999 to 2008 were reviewed. Using key search terms relating to terrorism legislation and/or terrorism policy alongside the title of each Act provided an insight into the level and type of press coverage devoted to the passage of each piece of legislation. Increased coverage of the passage of each Act corresponded with increased activity in the Houses of Commons or Lords, which influenced the selection of the sample dates (as outlined below). Hard copies of the newspaper articles were then sourced from the British Newspaper Library in Colindale, which was followed by an inductive analysis of media content, which informed the coding categories for the content analysis as well as the construction of the

signature matrix for the framing analysis. Comparable literature that dealt with terrorism legislation in the US context also provided a useful indicator of the dominant political and media frames emanating from large swathes of the Global North. A thorough review of the media content then served to inform the interview questions for the Home Secretaries.

The following sections detail the abovementioned stages of research, and provide a detailed discussion of the procedures of analysis. Beginning with a discussion of the primary methods deployed for the textual analyses, namely content analysis and framing analysis, the chapter then provides an overview of the sampling decisions, as well as an outline of the character and political affiliations of the newspapers that constitute the objects of analysis. Finally, it discusses the utilisation of the in-depth interviews, before concluding with a summary of the chapter.

3.1 Media Content Analysis

Content analysis was the primary method used to address research questions 1 and 2, with the former focusing on the prominence of the coverage and the latter the sources who shaped the debates. The unit of analysis was the news article.

Although content analysis is classically viewed as a quantitative method, it is unusual for a codebook not to contain several qualitative categories that require some degree of subjective inference by the researcher. It is the qualitative aspect of the research procedure that requires some discussion in terms of issues of reliability and validity of research data. Although content analysis is often

perceived as a consistent method in terms of its reliability and validity in the quantifying of research phenomena, its dependability as an objective tool of analysis is wholly dependent on the theoretical framework in which the study is defined, and one which ‘must articulate the relationship of the texts analysed to their wider context of production and/or consumption’ (Hansen et al., 1998: 124). Indeed, researchers in the field of social science tend to agree that the most difficult aspect of conducting a content analysis is in the defining of ‘dimensions or characteristics that should be analysed’ (Hansen et al., 1998: 106).

One of the pitfalls of content analysis can be a tendency for researchers to focus on phenomena that lends itself to easy measurement, whilst overlooking its significance to the overall research aims and questions. In his famous content study on the Vietnam war, Hallin (1986) acknowledged that although ‘content analysis lends an aura of scientific authority to media research...it requires dealing with all the content sampled, not just those parts of it that fit the story line the analyst starts out with’, warning that the data yielded ‘are always a result of many choices and sometimes conceal a good deal of ambiguity or subjectivity in coding procedures’ (Hallin, 1986: 112–113). This is why researchers must situate their research within a viable theoretical context – with the theory not only guiding the formation of the research questions but also providing a contestable framework for establishing inter- and intra-coder reliability. As previously discussed, this research examines media-state relations within three competing models of media performance, drawing on the historical antecedents of the press as the watchdogs or guardians of democracy, and the hegemony models of vis-à-

vis media and state. Moreover, it adapts some of the methodological approaches used by Robinson et al. (2006; and 2009), Goddard et al. (2008) and Murray et al. (2008), who themselves drew on the established frameworks of Hallin (1986), Semetko et al. (1991) and Wolfsfeld (1997) to address issues of media autonomy.

A main problem with conducting a content analysis is how to ensure an acceptable level of consistency either in terms of inter-coder reliability (two or more researchers reaching the same results when analysing the same data), or intra-coder reliability (a single coder aspiring to reproduce the same results with repeat testing). Thus, reliability in content analysis is understood as ‘a research procedure [that] is reliable when it responds to the same phenomena in the same way regardless of the circumstances of its implementation’ (Krippendorff, 2013: 267). It must be noted that the nature of the PhD differs from other academic studies in the sense that all coding decisions are typically made and carried out by a single coder, which can prove problematic when ascertaining the reliability of coding decisions. The author recognises that the test-retest method is not without its critics, and is largely a method that tests the stability of a method over a period of time; ‘that is, one observer rereads, recodes, or reanalyses the same text’ to detect whether there are any inconsistencies in the coder’s original findings at different points in time (Krippendorff, 2013: 270). Whilst a single researcher can carry out a replicability test on a particular study, it can lack the rigour of the inter-coder replicability test, whereby two or more researchers perform the same coding procedure to compare the level of reliability between coders. The reliance on the theoretical and methodological frameworks employed in other studies, as

well as taking an inductive approach to the coding procedures, is an attempt to mitigate any single coder biases.

Thus, this research borrows the tried and tested categorisations and valence scales employed in other large-scale content analysis studies, most notably the major ESRC funded study of the British media coverage of the Iraq War carried out by Robinson et al. (2006). A major component of the study was the development and testing of the methodology, which was designed to act as a model for further political communication research – with a key objective being the replicability of their theoretical framework and methodology to the study of inter alia post-war conflicts to assess whether a more ‘adversarial and questioning stance than the one found in [their] study [should come] to be adopted in the media’ (Robinson et al., 2006: 30). This could be taken to include policy perspectives on domestic security within the context of the ‘war on terrorism’, which is especially relevant for the research purposes presented here, which contends that the government often framed the arguments for legislation within the broader discourses of the ‘war on terror’. When developing their codebook for the Iraq war study, Robinson et al. (2006) also worked in tangent with Aday et al. (2005) who conducted an analogous study that focused on the US experience of the media coverage of the Iraq war.

Finally, the researcher applied the test-retest method to ten percent of the article population within each case study to check whether the coding decisions were consistent with repeat testing. Using Holsti’s (1969) statistical formula to

ascertain the level of consistency, there was consistency in the coding 95 percent of the time – with the reliability coefficient being 90 percent or above. The following section details the coding procedure for the content analysis, as well as the variables and valence measurements employed in this research.

3.1.1 Coding Procedure

Several ‘identifier categories’ (Hansen et al., 1998: 106) or standard variables are often utilised in newspaper content studies, including prominence categories such as the page on which a news item appears, length and type of article, sources cited and length of citation and so forth. In light of this, variables 1–8 deal with article prominence, format and article authorship, while variables 9 and 10 assess the number and type of visuals present. Variables 11–14 code the sources that have been cited, the space allotted to each source and the source’s position on the legislation. Bennett’s (1990) indexing theory, discussed in more detail in the previous chapter, predicates that the news is often indexed to elite opinion, which defines the parameters of media debate and thus limits the ideological possibilities of how to understand a particular policy issue – these variables were thus operationalised with reference to Bennett’s theory. The elite sources pertaining to this particular study include the government and other political elites such as Labour backbenchers or Conservative MPs. In theory, a preponderance of these sources could confirm Bennett’s thesis. However, if non-elite sources such as Liberty or interested Muslim groups were to have proportionate representation in the press, then this might challenge the indexing hypothesis, as might a high proportion of elite challengers.

As Chang and Izard (2009) point out, ‘the influence of framing in previous work has been especially recognized in research that determines the tone of political reporting’ (Chang & Izard, 2009: 8). The tone valences used by Robinson et al. (2006; and 2009), Goddard et al. (2008) and Murray et al. (2008) in their study on media coverage of the Iraq war are defined as either straight (i.e. non-evaluative), reinforcing, mixed (i.e. a combination of reinforcing and deflating evaluations), or deflating. These values were originally designed for use in the election research carried out by Semetko et al. (1991) and are ones which were also appropriated for the present study. The purpose of measuring the tone was to ‘capture how often reporters are making judgements and to whom they are directed’ (Goddard et al., 2008: 15), which provides a useful tool to measure ‘journalists’ adherence to norms of objectivity and neutrality towards actors’ (Robinson et al., 2006: 25). For their own study, Robinson et al. (2006) found that ‘reporting in the broadsheet newspapers was straight over 80% of the time...By this measure, then, much of UK media largely fulfilled expected norms of neutrality and objectivity (Robinson et al., 2006: 25). They also advise that since overt reporter opinion is uncommon in hard news items, the tone should be coded as straight unless ‘a clear slant or interpretation is given by the journalist’ (Robinson et al., 2005: 77). However, ‘[w]here there is no explicit favourability, it is also important to look for loaded word choice...which is not attributed to another source. Only where loaded words are used repetitively in a clearly evaluative way would a directional code be used’ (Robinson et al., 2005: 77).

Thus, to assess the extent to which the press reported the debates objectively, variable 15 takes into account the reporter tone toward the sources cited, variable 18 the actors/bodies as subject, and variable 21 the reporter tone toward the core positions presented. For all three variables, if the reporter presents the facts of the story without the inclusion of evaluative comments then this would be coded as straight reporting, which would typically apply to most brief news items. If the reporter clearly interpolates with evaluative comments that support or undermine the position of the source/story actor or core position presented then this would be coded as reinforcing, mixed or deflating accordingly.

The inclusion of the story actors/bodies as subject (variable 16) is also derived from the Iraq war study and provides a measure to assess prominence and attitude toward those depicted. The use of two measures to assess the prominence of actors (as sources cited and as subject matter) is justified by Robinson et al. (2009: 543) as follows:

Using these measures, we can assess which actors were most successful at accessing media, illustrating the extent to which journalists achieved balance between competing sources. As such, these variables allow us to gauge the extent to which each model (elite-driven, independent, and oppositional) prevails.

Finally, the analysis melds a content analytic approach with the frame analysis model of Gamson and his colleagues (see, for example, Gamson & Lasch, 1983;

and Gamson & Modigliani),³⁹ with variables 19–23 designed to quantify the framing and reasoning devices intrinsic to a particular ‘interpretative’ or ‘discourse’ package (O’Regan, 2008). A quantitative approach to framing has been employed by several researchers, with one such example being Beckett’s study of law and order discourse in American politics in which ‘displays of any of the signature elements of the various issue packages were identified in each story and then coded according to which package they signified’ (Beckett, 1997: 74). Likewise, in Dimitrova and Lee’s (2009) study of the framing of Saddam Hussein’s execution, the coding variables were designed to quantify the qualitative aspects of the media content by isolating the symbolic devices that constitute a particular media package. Their inclusion of a tone variable to measure the overall story perspective echoes the valence scales included in the Iraq war study carried out by Robinson et al. (2006).

The ‘media package’ approach of Gamson et al. has proved to be a useful tool in measuring media frames. Indeed, in reference to Gamson et al. as well as his own approach to frame analysis, Tankard argues that framing can provide ‘quantitative researchers a means to examine the hypothesis of media hegemony, one that has been difficult to validate empirically’ (Tankard, 2001: 97). Tankard proffers that the key strengths of the empirical turn towards framing are manifold, with its main advantages being its ability to reduce the subjectivity in frame identification and therefore improve issues of reliability and replicability, as well as in

³⁹ Further details of the framing model designed by Gamson and his colleagues can be found in the next section.

strengthening the role of theory building and testing within the field of framing research (Tankard, 2001: 104).

3.2 Framing and the Construction of the Signature Matrix

In political communication scholarship, the two principal approaches to analysing the government-press nexus are hegemony and indexing, with both approaches viewing the press as too deferential to the government (Entman, 2004: 4).

Framing as a concept has been criticised by Entman and others (see, for example, Kitzinger, 2007; Matthes, 2009; and Van Gorp, 2005) as being a ‘fractured paradigm’ (Entman, 1993: 51) or ‘imprecise catchall that means slightly different things to each researcher employing it’ (Entman, 2004: 5). Indeed, whilst framing is a mainstay of media and political communications research, there remains a ‘bewildering array of approaches’ (Kitzinger, 2007: 135) to framing and thus a notable lack of a ‘unified paradigm’ (Matthes, 2009: 349).

To discern patterns of commonality in the conceptualisation and operationalisation of news frames in media scholarship over a period of several years, Matthes (2009) analysed 131 media framing studies conducted between 1990 and 2005. Of these studies, over half focused on newspaper content, with Entman’s classification of media frames being the most cited. A main critique of Matthes was the vagueness in defining the term ‘frame’ and that most studies failed to provide any ‘clear guidelines for operationalization’, with an overabundant use of ‘general definitions, while useful, leave the explicit operational understanding of the frame concept open’ (Matthes, 2009: 350).

In terms of the types of frames that were operationalised, most of the studies applied 2-3 frames to their research, measuring the thematic unit (most typically the whole article). The limiting of frames can ‘improve the reliability of coding’, but can also reduce some of the complexity of framing (Tankard, 2001: 105). To address the limitations of using a reduced number of frames, this research applied three meta-frames to the case studies, which, while informed by the literature review, were identified inductively. Thus, in constructing the signature matrix, this research employed an inductive approach, by examining the material to see which frames emerged as opposed to a deductive approach, which applies pre-defined frames to the media material in question. It follows the formal inductive steps of Van Gorp (2010), in which the ‘end product of the inductive phase is a *frame matrix*’ (Van Gorp, 2010: 93).

In summary, the first step requires the collection of source material, including the press releases from ‘frame sponsors’ such as political parties or interest groups. Step 2 requires an open coding of news content, to assess the material without applying any predefined categories. Rather the researcher is to compile an inventory of key issues and themes as well as key actors within a text, with a key condition being ‘not to focus on what a text is about, but on how the story is told’, or on the aspects highlighted by the news producer (Van Gorp, 2010: 94). The third step requires a close examination of ‘patterns of devices by linking them to overarching ideas’, which should result in an ‘organising of the ‘codes around “axes” of meaning’ (Ibid.: 95). This is followed by the ‘selective coding’ stage,

which entails the naming and defining of the core message of the frame by ‘making an association with a cultural motive that can function as the core idea, thus fusing the framing devices into a coherent unit’ (Ibid.: 96). Once the frame matrix is complete, this is then followed by the deductive phase, which is essentially a quantitative content analysis that measures ‘the extent to which inductively reconstructed frame packages are actually applied in a representative sample of texts’ (Ibid.: 99).

This research employs the methodological frameworks and definitions of Gamson and his colleagues (Gamson & Lasch, 1983; and Gamson & Modigliani, 1989), with particular reference to their construction of a signature matrix, as well as Van Gorp (2005; 2007) and Wolfsfeld (1997) whose work follows a similar praxis. Wolfsfeld’s seminal work on the political contest model was derived from the methods of Gamson and his colleagues. The main thrust of Gamson and Lasch’s (1983) argument is that the political and media discourses surrounding a particular ‘issue draws on a catalogue of available idea elements, and makes use of a variety of symbolic devices to express these ideas’ (Gamson & Lasch, 1983: 397). They go on to argue that such idea elements do not exist in a vacuum, but rather are clustered into ‘interpretive packages’ – often the package can be identified with a single manifest element. Gamson & Modigliani suggest ‘that media discourse can be conceived of as a set of interpretive packages that give meaning to an issue. A package has an internal structure. At its core is a central organizing idea, or frame, for making sense of relevant events, suggesting what is at issue’ (Gamson & Modigliani, 1989: 3).

A package is comprised of two parts, with the first part dealing with the framing devices or symbolic or organising principles of political discourse; the second part deals with the reasoning devices. Thus, to distinguish between the two parts: ‘framing devices...suggest how to think about the issue and reasoning devices...justify what should be done about it’ (Ibid.). Gamson et al. define the five framing devices as follows: (1) metaphors; (2) exemplars (historical examples from which lessons are drawn); (3) catchphrases (summary statements that encapsulate a particular frame); (4) depictions (subjects characterised in a particular manner); and, (5) visual images (e.g. icons) (Ibid.: 3–4). The second part of the package contains the three reasoning devices, which are (1) roots (i.e. a causal analysis); (2) consequences (i.e. a particular type of effect); and, (3) appeals to principle (i.e. a set of moral claims). The signature matrix constructed for the present study is outlined below (see Appendix 2 for a diagrammatic presentation of the signature matrix), alongside the concomitant media performance models (Ibid.).

Security Meta-Frame

The Security meta-frame corresponds with the government-driven media performance model, which proffers that the press will largely be supportive of the government and its policy aims, with much of the coverage reinforcing the government’s preferred security frame, with the overall package reflecting a ‘proportionate legislative response’. The core frame or issue is the immediate threat that post 9/11 terrorism poses to the nation’s way of life, and the most

effective legislative means to protect British citizens, with the issue of security requiring urgent action, and which is often viewed within the broader context of the ‘war on terrorism’. The core position of the frame is that the new terrorism posed by the events of 9/11, and the resulting ‘war on terrorism’, requires extraordinary measures to safeguard UK citizens. Thus, the legislation is not only deemed vital for national security but is a proportionate response to the current threat level.

In terms of the framing devices, the metaphors and lexical choices reinforce the US/UK official ‘war on terrorism’ discourse, largely constructing the terrorism threat as an ‘act of war’, ‘battle’ or ‘disease’ that needs to be ‘fought’ and ‘won’ or ‘excised from humanity’. The discourse will draw heavily on discourses of risk, with the government portrayed as the ‘moral guardians’ of democratic values. Those opposed to the legislation are depicted as ‘traitors’ in the ‘war on terror’.

Exemplars include stories that promote the legislation as strengthening national security, and the government winning the war on terrorism. Historical exemplars might include the ‘Spirit of the Blitz’ and the unifying of Britain in times of war, especially relevant in the aftermath of 7/7.

Catchphrases might include ‘state of emergency’, ‘war on terrorism’, ‘crackdown on terror’, [vital we] ‘protect our way of life’. Those who oppose the Bill are ‘airy fairy liberals’.

Depictions might include legislation being portrayed as a proportionate response to the current threat level, with the government shown as tough but even-handed in its approach to handling the terrorist threat. Oppositional voices will typically be represented as illogical, undemocratic and unpatriotic in the face of the current threat.

The reasoning devices will be as follows:

Roots: Terrorists willing to be suicide bombers necessitate policies that can deal with this new terrorism threat.

Consequences: Without legislative action, the UK leaves itself vulnerable to a terrorist attack.

Appeals to principle: UK citizens deserve measures that will keep them safe and safeguard their way of life. Terrorists must not be allowed to win the ‘War on Terrorism’.

Civil Liberties Meta-Frame

The Civil Liberties meta-frame corresponds with the oppositional media performance model, which proffers that the media will largely be against the government and its policy aims, with much of the coverage reinforcing the discourse of politicians, peers and interest groups that oppose the legislation due to its negative impact on civil liberties, with the overall package reflecting a ‘Disproportionate Legislative Response’. The core frame is ‘Civil Liberties’ with the key issues being the impact the legislation will have on civil liberties, human rights and minority Muslim groups. There is also concern that the legislation will

undermine community cohesion, as well as augment the powers of the state without any utilitarian gain. The core position is that the legislation erodes civil liberties and has a negative impact on human rights. Moreover, that the proposed legislation with its inclusion of measures that enhance state power has no substantive benefit other than to make the government look as though it is tackling the terrorist threat. The legislative response is viewed as disproportionate to the actual threat level.

In terms of the framing devices, the metaphors and lexical choices will depict the government as ‘warmongers’ or ‘scaremongers’ or as an ‘authoritarian regime’, with the government portrayed as using the Bill to ‘smuggle’ in wide ranging measures that are not relevant to current threat levels. References to Britain becoming a ‘Big Brother’ state or of ‘Ancient freedoms’ under threat will also be evident.

Exemplars might include stories about rebel MPs/peers tempering some of the measures contained in the terrorism Bill. Historical exemplars might include the failure of internment in the PIRA era.

Catchphrases might include ‘draconian laws and/or powers’, ‘traditional freedoms/civil liberties under threat’, and [the government is] ‘riding roughshod over democracy’.

Depictions will include the legislation portrayed as undermining civil liberties. Stories that deal with the impact the legislation is having on individuals' human rights will also be evident, with the government being depicted as excessive and authoritarian in its approach to dealing with the terrorism threat. Oppositional arguments will be depicted as rational and apolitical in tone.

The reasoning devices will be as follows:

Roots: In its desire to be seen to act, the government has rushed to legislate without adequate deliberation or scrutiny.

Consequences: The introduction of wide ranging laws have undermined civil liberties.

Appeals to principle: Present legislation is adequate to deal with the perceived terrorist threat. Further legislation will only serve to augment state power without enhancing security. In fact, some of the measures contained in the Bill could make the UK even more of a terrorist target.

Politics Meta-Frame

The politics meta-frame corresponds with the independent media performance model, which proffers that the media will largely use the legislative debates as a conduit either to criticise the politics of New Labour or to focus on the political conflict between or within parties. Consideration of the legislation itself will be limited, often reflecting a neutral editorial stance. The overall package reflects a 'Party Politics Focus', with the core frame being 'Politics', whereby the issue is

the state of UK politics itself – with a focus either on the politics of the New Labour government or on the political conflict between or within parties.

The core position is that New Labour's modernising project is to the detriment of democracy. Too much power resides with the executive, which has led to the government abusing its power to bring in too many draconian laws, without adequate parliamentary scrutiny. Labour MPs have become lapdogs to the government. At the other end of the spectrum, disunity within the Labour Party is evident, and indicates that Blair (or Brown) has lost authority over his own party.

In terms of the framing devices, the metaphors and lexical choices construct MPs/peers as 'rebels' or 'revolutionaries'; Government at 'war' or doing 'battle' with own party members and/or oppositional parties; Government referred to as 'dictatorial' in its approach to governance.

Exemplars include the Home Secretary losing the battle against rebel MPs/opposition. Historical exemplars might include the Maastricht Rebellion when rebel MPs in John Major's government voted against the Maastricht Treaty (Treaty on the European Union).

Catchphrases likely to include 'Home Secretary under fire', 'Rebel MPs savage bill', 'lack of parliamentary scrutiny', and 'New Labour abusing power'.

Depictions might include New Labour policies and governance being portrayed in a negative light; Personal attacks on Blair/Brown leadership and/or attacks on the competency of the Home Secretary; Human Rights Act and ECHR will be heavily

criticised; Disharmony within the Labour Party will be used to undermine government authority.

The reasoning devices will be as follows:

Roots: New Labour's modernising of parliament and the reforms to the House of Lords have undermined the parliamentary process.

Consequences: The government has too much unchecked power.

Appeals to principle: New Labour should revise its approach to leadership and governance or else face an increase in rebellions from Labour backbenchers and peers alike.

3.3 Sample

The newspaper sample comprised three broadsheets: the *Daily Telegraph*, *The Times* and the *Guardian*; and three tabloids: the *Daily Mail*, the *Sun* and the *Mirror*.⁴⁰ Of these titles, the *Daily Telegraph*, *The Times*, the *Daily Mail*, and the *Sun*, are broadly considered to reside on the political right, whilst the *Guardian* and the *Mirror*, are generally deemed to reside on the political left. The selected titles also had a higher share of the newspaper market for their respective class. Of the right-leaning broadsheets, the *Daily Telegraph* and *The Times* had the highest circulation figures, as did the left-leaning *Guardian* compared with its nearest competitor *The Independent*. Of the right-leaning tabloids, the *Sun* had the highest circulation figures, followed by the *Daily Mail*, with the *Mirror* being the only

⁴⁰ Although a tabloid in terms of character and size, the *Daily Mail* has also been defined as a 'Blacktop' or 'Midmarket' newspaper, for the purposes of this research it will be referred to as a 'tabloid'.

major left-leaning tabloid on the market during the period under investigation.

Table 3.1 shows the circulation figures during the month in which each piece of legislation received the Royal Assent.

Table 3.1 Newspaper circulation figures during the month in which each Act received Royal Assent

Newspaper	Circulation Figures			
	Dec 2001	Mar 2005	Mar 2006	Nov 2008
<i>The Sun</i>	3,306,814	3,250,176	3,110,895	3,045,899
<i>The Mirror</i>	2,046,792	1,720,722	1,634,584	1,400,206
<i>Daily Star</i>	696,029	843,701	783,511	714,192
<i>Daily Mail</i>	2,323,020	2,279,201	2,284,081	2,193,715
<i>The Express</i>	859,202	878,001	831,923	752,181
<i>Daily Telegraph</i>	957,534	859,330	840,081	835,497
<i>The Times</i>	654,036	630,422	626,987	621,831
<i>Financial Times</i>	470,151	405,023	412,774	448,523
<i>The Guardian</i>	384,406	340,623	364,521	358,379
<i>The Independent</i>	192,448	221,779	217,883	201,113

Source: ABC

The dates were selected to encompass the coverage of key phases in the progression of each Act with the sample of each case study beginning the day after the Bill was introduced in the House of Commons and ending one day after the Act received royal assent. Whenever there was any activity in the Commons or the House of Lords, such as a reading or a report stage, the next day's date was selected to examine the coverage of that previous day's events. This provided a uniform timeline that could be applied to each case study. A comprehensive

breakdown of the progression of each Act and the corresponding dates for the newspaper sample can be found in the relevant results chapter. Table 3.2 shows the newspaper sample dates and the total number of days for each Act, as well as the total quantity of articles analysed for each case study. Overall, the study encompassed 69 days of news coverage, which yielded a total of 642 articles.

Table 3.2 Newspaper sample dates

Act	Newspaper sample dates	Total days in sample	Total articles
Anti-Terrorism, Crime and Security Act 2001	13 November 2001 – 14 December 2001	15	88
Prevention of Terrorism Act 2005	23 February 2005 – 12 March 2005	10	226
Terrorism Act 2006	13 October 2005 – 31 March 2006	20	166
Counter-Terrorism Act 2008	25 January 2008 – 27 November 2008	24	162
Total		69	642

3.3.1 Political Affiliations of the British Press

The unprecedented rise of multinational media corporations, precipitated by a string of mergers and takeovers in the 1990s, has resulted in a handful of large conglomerates dominating the global media market. Moreover, the international media market has seen a convergence of media commodities, whereby major transnational organisations have control over multi-media sectors. Media consolidation with a concentration of media ownership makes market control

policies ever more challenging to facilitate, increasing further the power of the oligopolies. Press concentration, in particular, is much higher in the UK than in the rest of Europe (Curran & Seaton, 2009: 76). The hegemony of the national press in the UK also contrasts with much of Europe and the United States where there is much more reliance on regional and urban press.

Just eight media corporations, who between them circulate twenty of the leading daily and Sunday national newspapers, govern the British press. However, four companies, News International, Associated Newspapers, Trinity Mirror and Northern and Shell, dominate the market with a combined circulation share of 85 percent, with News International's share of the market being nearly double that of its nearest competitor, Associated Newspapers. News International, whose titles include the *Sun* and *The Times*, has a 37 percent share of the market. Associated Newspapers, who owns the *Daily Mail* and Trinity Mirror, who owns the *Mirror* have a share of 19 percent and 17 percent respectively, followed by Northern and Shell with a market share of 12.5 percent. The left-wing broadsheet newspaper groups, International News and the Guardian Group have a combined market share of just 6 percent.

Of the daily titles, the *Sun* has consistently had the largest share of the market in terms of newspaper sales, and *The Independent* the lowest. Generally, the popular and mid-market titles sell considerably more copies than the broadsheets.

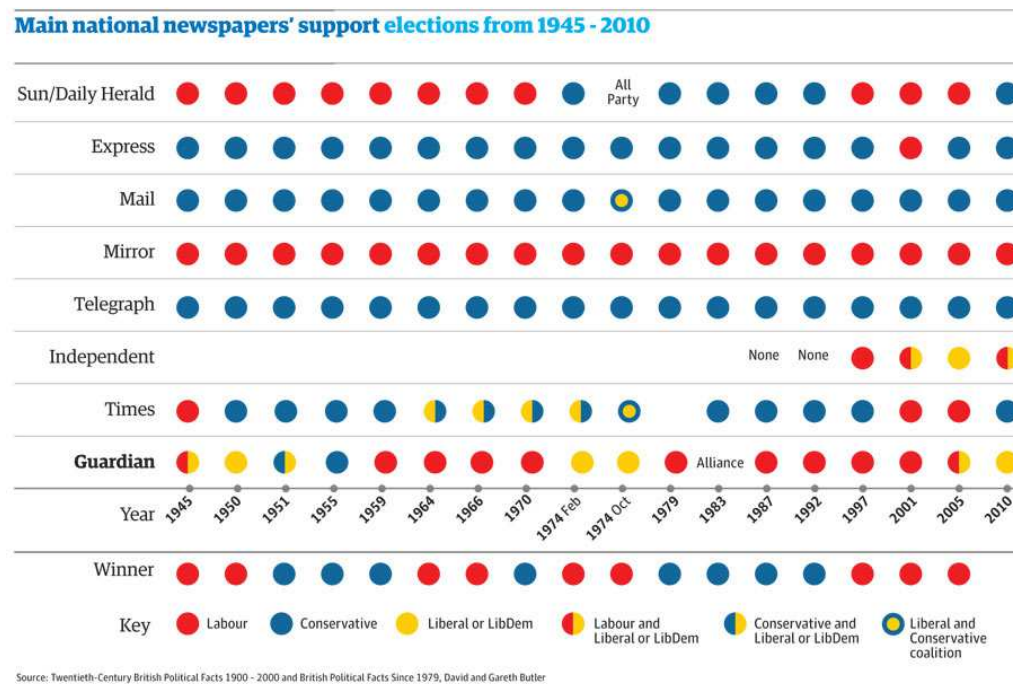
Although several of the traditional 'broadsheets' have been repackaged in tabloid or Berliner format in the last few years, this thesis retains the term 'broadsheet' to

refer to the ‘quality’ newspapers, and the term ‘tabloid’ to refer to the ‘popular’ (also commonly referred to as ‘red tops’) and ‘mid-market’ (also known as ‘blacktops’) publications. In terms of their journalistic style, the broadsheets are considered to be of higher quality and less sensationalist than the tabloids. The tabloids are characterised by their focus on scandal guised as human interest stories and their willingness to pay high prices for a salacious scoop, especially if it involves a major celebrity or public figure. However, since the late 1990s, the competitiveness between newspapers of all persuasions has seen the quality press foraging into the realm of ‘cash for stories’, one notable example being the payment of £110,000 for parliamentary expenses data by the *Daily Telegraph* in 2009.⁴¹

Previous research (see, for example, Worcester, 1998) has also shown differences in readership demographics across newspaper categories, with the broadsheets appealing to the upper middle classes and elite groups, the mid-market titles to the middle and lower middle classes, and the tabloids to the working classes (Richardson, 2007: 80). Broadsheets and tabloids also differ in their news values and ideological representation, with the tabloids being more explicit in their political bias. In terms of bias, there is an imbalance in ideological positions in the press as a whole, with right-leaning newspapers accounting for 80 percent of the market share. Figure 3.1 shows newspaper party allegiance during the general elections from 1945 to 2010.

⁴¹ The ‘MPs expenses scandal’, as it became known, led to resignations, suspensions, and in some cases criminal charges for false accounting, of several prominent MPs.

Figure 3.1 Newspaper party allegiance during national elections, 1945–2010⁴²



The political allegiance of the press during the New Labour years was as follows: News International, whose titles include the *Sun* and *The Times* is the UK arm of Rupert Murdoch's News Corporation, which is one of the largest media conglomerates in the world. Politically, Murdoch's titles reside on the right, but notably switched allegiance to the Labour Party under Tony Blair's leadership. They reverted to type by supporting the Conservative Party during the 2010 general election. Associated Newspapers is a division of the Daily Mail and General Trust plc of which Viscount Rothermere is chairman. Its newspaper portfolio includes the *Daily Mail* and the *Mail on Sunday*, both of which reside on the political right. *The Daily Mail* is renowned for its anti-liberal rhetoric and its

⁴² Source: *The Guardian*. Online. Available HTTP: http://static.guim.co.uk/sys-images/Guardian/Pix/site_furniture/2010/5/4/1272980214851/Party-support-in-general--003.jpg (accessed 15 January 2014). Permission to use this figure was granted by Guardian News & Media Ltd on 8 May 2014 via email.

promotion of conservative values. Unsurprisingly, both titles have remained largely consistent in their support for the Conservative Party. Known as representing the views of 'Middle England', the *Mail* brand also has a high female readership. Trinity Mirror plc publishes the *Mirror*, and is considered a left-wing title, with a long history of supporting the Labour Party. Alastair Campbell, New Labour's 'spin doctor', was political editor and columnist on the *Mirror* during the 1980s and 1990s. The Telegraph Media Group (known as the Telegraph Group until 2006) is owned by Sir David Barclay and Sir Frederick Barclay and publishes the *Daily Telegraph* and the *Sunday Telegraph*. From 1986 to 2004, the titles were owned by Conrad Black.⁴³ Politically, the *Telegraph* brand resides on the right, although the group considers itself centre-right. The group's national newspapers have a long tradition of supporting the Conservative Party. The Scott Trust owns the Guardian Media Group, and as a trust does not cater to shareholders, rather all profits are reinvested into the Group. Key newspaper titles include *The Guardian* and *The Observer*, both of which can be defined as liberal or left of centre. A supporter of the Labour Party throughout the 1990s, by the 2005 general election *The Guardian's* support was beginning to wane and by 2010, they publically backed the Liberal Democrat Party. A key reason being: 'On civil liberty and criminal justice, [the Liberal Democrats] have remained true to liberal values and human rights in ways that the other parties, Labour more than the Tories in some respects, have not' (*The Guardian*, 30 April 2010).

⁴³ Conrad Black owned Hollinger, one of the world's largest newspaper groups until he was jailed in America in 2007 for defrauding his investors.

Despite the majority of the press residing on the political right, journalists draw on a range of idiosyncratic news values. However, there are certain issues that are common across titles; for example, the *Daily Mail* and the *Sun* are both highly critical of immigration, the European Union and the European Court of Human Rights. The unrelenting negative reporting of the European Court of Human Rights even led to the Court issuing a statement on 11 October 2013 lambasting the British press for its distorted and misleading coverage of its activities. The *Daily Mail* was singled out for a story it had published on 7 October 2013, which was entitled ‘Human right to make a killing: Damning dossier reveals taxpayers’ Bill for European court payouts to murderers, terrorists and traitors’, a claim that was rejected by the Court as being ‘simply wrong’.⁴⁴ Notwithstanding these mutual crusades, the press are not always constant in their political allegiance. For example, while the *Sun* and the *Daily Mail* are both considered proliferators of ‘right wing’ discourses, they supported different political parties in the 1997, 2001 and 2005 general elections. Similarly, despite the *Mirror* emphatically opposing the 2003 Anglo-American invasion of Iraq, and their criticisms of New Labour’s shift to the centre of the political spectrum, it has remained steadfast in its party allegiance.

After the 1992 election there was a blurring of the traditional partisan lines among the right wing press, with a turn towards a more pragmatic style of journalism.

Post-Thatcher, the ‘press-government coalition fell apart’ (Curran & Seaton,

⁴⁴European Court of Human Rights (2013) ‘Court concern at “seriously misleading” UK news articles’, Press Statement, 11 October 2013. Online. Available HTTP: <<http://www.humanrightseurope.org/2013/10/court-concern-at-seriously-misleading-uk-news-articles/>> (accessed 28 January 2014).

2009: 73), with much of the right wing press disillusioned with the government of John Major, who they viewed as weak and ineffectual, and whose administration was seen as a betrayal of Thatcher's legacy. A series of scandals involving Tory MPs provided much fodder for the press, with the harshest criticisms coming from the tabloids. However, although critical at times, the *Daily Mail* and the *Daily Telegraph* remained largely aligned to the Conservative Party. During this uncertain period, it was the Murdoch press where the major political turnaround was to occur.

The meeting and subsequent alliance between Murdoch and Tony Blair in the run up to the 1997 election is well known. Ever the pragmatist, Murdoch recognised that the conservatism of the Thatcherite era was over, and that the growing dissatisfaction with the Major administration was unlikely to lead to a Tory win at the next election. Moreover, the populist appeal of Tony Blair and New Labour's Tory friendly policies, such as their pro-market stance and the relaxation of cross-media ownership, appealed to his business perspicacity. It is worth noting that while New Labour appealed to Murdoch on a number of levels, his support did not alter his politics. Thus, Murdoch remained an advocate of conservatism, using his media outlets to support his own political agenda and policies that bolstered his own commercial interests (Gaber, 2012: 642).

Whether a press baron's endorsement of a political party has any real influence over the outcome of a general election remains open for debate (Barnett & Gaber, 2001; Gaber, 2006; Newton & Brynin, 2001; Norris, 2006; and Wring & Deacon,

2010), but, real or imagined, most politicians believe that powerful media proprietors do have a significant hand in shaping public opinion. As Barnett and Gaber (2001) point out, ‘the real significance is not the impact exerted by the media on public opinion, but the impact exerted on the perceived effect of the media on public opinion by an almost obsessive political class’ (Barnett & Gaber. 2001: 29). Labour’s defeat in the 1992 general election is a case in point, where many MPs and supporters attributed their loss to the unrelenting undermining of Neil Kinnock in the right wing press. They viewed the *Sun*, in particular, as a major influential force, despite academic research indicating that the influence of the tabloid press on voter preferences was secondary to other prevailing factors, such as the unpopularity of its leader Neil Kinnock and policies that failed to sway the electorate (Barnett & Gaber, 2001; Crewe, 1992; and Thomas, 1998).⁴⁵ Nonetheless, Alastair Campbell attributes their 1992 defeat to the tabloid press campaign against the Labour Party:

I am not sure if it can be claimed, as *The Sun* did after the Tories won in 1992, that “it was the *Sun* wot won it,” but there is no doubt in my mind that the systematic undermining of Labour and its leader and policies through these papers, actively encouraged and fed with lines of attack by Tory HQ, was a factor in Labour’s inability properly to connect with the public, and ultimate defeat.

(Leveson Report, 2012: 1135)

⁴⁵ In Tony Blair’s view, the defeat of Labour in the 1992 election was due to the unpopularity of Neil Kinnock and policies that were out of touch with the voting public. In his biography he acknowledges that the Party ‘needed a complete, top-to-bottom reorientation of [their] programme and policies’, especially in relation to taking a tougher approach in areas of defence and law and order (Blair, 2010: 49).

A sentiment shared by Jack Straw:

Few of us who took part, for example, in the 1992 General Election are in any doubt that *The Sun's* approach lost us seats. That was their purpose, and it is disingenuous for any now to deny this...It did contribute to our defeat. I took that as power.

(Leveson Report, 2012: 1135)

Many politicians lament that the unregulated power of the press has done little to benefit civil society. Indeed, Charles Clarke's view that the press have been 'a blight on British national life' is one that is shared by many of his peers (Interview with author, 4 February 2014). However, as was discussed in the previous chapter, there are contra arguments to the role of the press in political life, with many concluding that, far from the press being robust critics of the government, 'the vital function of independent and critical political reporting is being progressively undermined to the ultimate benefit of those in power' (Barnett & Gaber, 2001: 1).

3.4 Interviews

Four former Home Secretaries were interviewed for this research,⁴⁶ namely: Jack Straw and Jacqui Smith, who were both interviewed via telephone; and David Blunkett and Charles Clarke, who were both interviewed face-to-face in London. Each semi-structured interview lasted approximately 40 minutes, and was

⁴⁶ Due to his prior dealings with the interviewees, Professor Jon Silverman made the initial approach to each former Home Secretary via email, with follow-up arrangements made by the author.

recorded and later transcribed. All of the interviewees granted prior permission to be recorded, and were provided with the interview guide in advance. The interviews followed a semi-structured format whereby a list of questions were devised to define the parameters of discussion, but that also allowed for ‘an active, open-ended dialogue with [the] interviewees’ (Deacon et al., 2007: 67). However, the interviewer tended to take a passive role in the dialogue to allow the interviewee plenty of time to address each question, with the interviewer only interjecting on issues of clarity, to request further elaboration on points raised, or to explore new lines of inquiry enthused by a particular response.

Interviews with key politicians is a valuable method in ascertaining the impact that external forces, such as the media, have on the political process (Brazier et al., 2008; and Davis, 2007), and in extracting data which cannot be reliably obtained from textual analyses alone. The purpose of the interviews, therefore, was to gain insight into the relationship between senior government ministers and the press in the context of the policy making process, with particular reference to terrorism legislation. General questions covered the agenda setting ability of the press, the influence of the press on political decision making, and the impact of a changing media on government-press relations. Questions were then tailored to fit the particular policy circumstances of each interviewee (see Appendices 3–6 for the full interview guides). The interviews also served to establish the government’s position on terrorism policy, the media and civil liberty issues during the period under investigation, with Jack Straw’s views on the Terrorism Act 2000 providing information on the government’s stance on security before the

terrorist attacks on America in September 2001. The aggregate interview data is presented in the relevant results and discussion chapters. The following provides an overview of each Home Secretary and the terrorism legislation passed during their tenure at the Home Office.

Jack Straw was Home Secretary from May 1997 to June 2001, and was in office during the passage of the Terrorism Act 2000, the first piece of permanent terrorism legislation on the statute book. The Act widened the definition of terrorism to include domestic terrorism, extended detention without charge to seven days, and provided the police with greater powers to stop and search. Straw also oversaw the passage of the Regulation of Investigatory Powers Act 2000, which gave public bodies increased authority to conduct surveillance and intercept citizens' private electronic communications; as well as the Human Rights Act 1998, which incorporated the European Convention on Human Rights into domestic law. The information gleaned from the interview provided a comparative component in terms of the government-press relationship during the passage of the Terrorism Act 2000. The interview with Mr Straw took place on 12 February 2014.

David Blunkett was Home Secretary from June 2001 to December 2004, and was in office at the time of the 9/11 terrorist attacks. Famously declaring that he would 'make Jack Straw look like a liberal' (Silverman, 2012: 78), Blunkett was viewed as a more interventionist and hard line Home Secretary than his predecessor – but also, alongside Blair, attuned to the importance of appealing to the emotive

qualities of public consciousness. These were traits not lost on Blair, who allegedly replaced Straw with Blunkett in an effort to mollify the media's portrayal of the government as being weak on asylum and immigration and out of touch with the public mood. The interview with Mr Blunkett took place on 21 March 2014.

Charles Clarke was Home Secretary from December 2004 to May 2006, and was in office at the time of the 7/7 terrorist attacks. Hailed by some as a more moderate force than David Blunkett, Clarke shepherded two of the four pieces of terrorism legislation enacted after 9/11. Clarke's first day at the Home Office coincided with the Law Lords' ruling that the detainment of nine Belmarsh prisoners without charge or trial was in contravention to the HRA/ECHR.⁴⁷ This resulted in the alternative measure of control orders. Clarke also oversaw the Identity Cards Act 2006 during his time in office. In May 2006, Clarke lost his post over the foreign prisoners' scandal, in which the Home Office released over a thousand foreign prisoners who should have been considered for deportation. The interview with Mr Clarke took place on 4 February 2014.

Jacqui Smith was in office from June 2007 to June 2009, and was both the first female Home Secretary and the first to hold the post under the premiership of Gordon Brown. Smith had only been at the Home Office a few days prior to the terrorist attack on Glasgow International Airport. Unlike the 2001, 2005 and 2006 legislation, the Counter-Terrorism Act 2008 was not the result of a particular set

⁴⁷ *A and Others v Secretary of State for the Home Department* [2004] UKHL 56.

of circumstances, but rather a means to strengthen existing laws. The interview with Ms Smith took place on 5 March 2014.

3.5 Summary

This chapter has provided a detailed discussion of the approaches and methods used in the research, which comprises quantitative and qualitative content analyses of six daily national newspapers. These are supplemented by in-depth interviews with four former home secretaries, who between them oversaw the introduction of five pieces of terrorism legislation enacted between 2000 and 2008. Primarily, the research takes an inductive approach, and employs the methodological frameworks and framing definitions of Gamson and his colleagues (Gamson & Lasch, 1983; and Gamson & Modigliani, 1989), with particular reference to their construction of a signature matrix. This chapter has also provided a summary of the character and political affiliations of the newspapers that constitute the objects of analysis. Presented in chronological order, the following four chapters (chapters 4 to 7) present the findings of the press framing of the four case studies.

CHAPTER 4

ANTI-TERRORISM, CRIME AND SECURITY ACT 2001

It is indisputable that the events of 9/11 had a profound impact on how Western governments and their publics came to view both domestic security and foreign policy. Given New Labour's turn toward more authoritarian criminal justice policies in their first parliamentary term in office,⁴⁸ it was perhaps inevitable that their political response to the cataclysmic attacks on America would sit uncomfortably with their former commitment to safeguarding civil liberties and human rights (a commitment best expressed in the enactment of the Human Rights Act 1998).

Addressing the nation on the evening of 11 September 2001, Tony Blair declared that Britain was to stand 'shoulder to shoulder' with America in eradicating the new terrorism in the world. This 'war on terror', which pitched the democratic West against individuals and states that supported the barbarism of Islamist terrorism, was to become 'the most extensive counter-terrorist campaign in history and the most important conflict since the fall of the Berlin Wall' (Jackson, 2005: 8). However, unlike the Cold War, it was to be a war fought against an intangible enemy, consisting of a loose network of stateless cabals rather than a monolithic federation of states, as in the case of the former Soviet Union. Indeed,

⁴⁸ Discussion of New Labour's draconian approach to criminal justice policy in their first term in office can be found in the introductory chapter.

defining who and what the enemy is, as well as where the enemy resides in the geographic sense, has proved an elusive concept both at a political level and within the public sphere (Croft and Moore, 2010: 823). This has resulted in some Western governments employing an ever-evolving series of threat narratives to justify precautionary policy responses in its perpetual fight against terrorism.⁴⁹ Chief among them was the UK government, which not only became one of America's strongest allies, but was also the architect of some of the most draconian security measures in Europe. In the domestic context, therefore, the legal response to 9/11 came in the form of the Anti-Terrorism, Crime and Security Act 2001 (hereafter referred to as ATCSA 2001), which was introduced in the Commons by the then Home Secretary, David Blunkett, on 12 November 2001.

This chapter focuses on how the British press reported the ATCSA 2001. Before presenting the findings of the quantitative and qualitative content analyses of the news content, it provides an overview of the key provisions contained in the Act, as well as the different standpoints of the key actors involved in the debates. The key actors being the government, the political opposition, members of the House of Lords, as well as the police and security services, and to a lesser extent, civil liberties and Muslim interest groups. In terms of the news content study, the chapter has been organised as follows: firstly, it details the quantitative findings, which include the level of press attention devoted to the Bill and the key sources that shaped the news agenda. Secondly, it discusses the findings of the framing analysis, specifically looking at how the media framed the policy debates as well

⁴⁹ In the UK context, key threat narratives promulgated by the government have included inter alia, Al Qaeda as a centralised terrorist organisation with global reach, Iraq's weapons of mass destruction, and post-7/7, the fear of the home grown terrorist threat.

as the editorial responses of particular newspapers. The chapter concludes with a consideration of the overall performance of the press, with special reference to the theoretical arguments discussed in previous chapters. To underpin particular points of discussion, this chapter also draws on some of the insights gleaned from the interview with David Blunkett, conducted by the author on the 21 March 2014.

4.1 Background to the ATCSA 2001

In the immediate aftermath of 9/11, the primary concern of both Blair and Blunkett was to allay the fears of the British public without causing undue alarm. Blunkett affirms that this was vital for the credibility of the government, as ‘unless people knew that we were absolutely on top of this, that we were up for it, we understood the risk, then they would turn on us’ (Interview with author, 21 March 2014). An approach that the ‘commentariat’ claimed was simply a cynical ploy by the government ‘to be seen to be doing something’ in their attempt to restore public confidence. As previously outlined in the introductory chapter, Blunkett’s emotive style of political communication and fervent approach to media relations, particularly chimes with the concepts relative to emotional governance (Richards, 2007). Both Blunkett and Blair viewed the media as the most powerful channel for message sending, and were keenly aware of the importance of fostering positive connections with journalists as a means not only to transmit their messages to the electorate but also to relay their preferred version of events. Blunkett confirms that one of the first lines of defence was to get the

media onside and to use them as a 'conduit for reassurance, alert but not alarmed'.

He goes on to say that:

To do that you have to reassure the editors and the senior political correspondents that you knew what you were doing, and to have a reasonably open relationship with them. Otherwise, all the stories would be that you hadn't got a clue what you were doing, and things were out of hand, which could make matters even worse...in a democracy the channels of communication and the messages that the population receive do matter.

(Interview with author, 21 March 2014)

In terms of the newspapers that held most sway over the government during the passage of the Bill, Blunkett singled out the *Guardian* as having the most resonance inside the Labour Party, especially in relation to issues around civil liberties and human rights. Whilst the *Daily Telegraph* and the *Times* were important due to their access to 'voices from inside the security services' (Ibid.). The tabloids, on the other hand, were of concern in terms of their ability to amplify a particular risk such as 'individuals who were fostering hate' (Ibid.).

Vis-à-vis the legislative response, for Blunkett the new world order brought about by 9/11 revealed a fearsome new form of terrorism, which required an urgent redefining of existing terrorism laws. As Blunkett argues, the government needed to have new measures that could 'deal with this new eventuality of people who wouldn't give a damn if they were apprehended and prosecuted, because

prosecution and conviction were meaningless to those who wanted to be suicide bombers' (Ibid.). Moreover, Blunkett asserts that in the immediate aftermath of 9/11 he was receiving intelligence from the security services that an attack on British soil was imminent, and that the government had to try to 'adjust very quickly to that possibility' (Ibid.). Blunkett also believed that the role of Home Secretary came with an overriding responsibility to protect the public, as he argues: 'You cannot be Home Secretary and not actually be driven by the critical importance of protecting people. Because in the end, it lands on your desk, so you have an absolute imperative to be on top of the security issues' (Ibid.). Another consideration was the public response to 9/11. Blunkett and other ministers, backed up by a slew of opinion polls, have affirmed that the pulse of the nation indicated that citizens were willing to sacrifice fundamental civil liberties in the interest of national security.

Officially, then, the ATCSA 2001 was intended to create further provisions that would arm the government with laws to deal with this neoteric form of terrorism.

In the bill's explanatory notes, specific measures were designed to:

- Cut off terrorist funding
- Ensure that government departments and agencies can collect and share information required for countering the terrorist threat
- Streamline relevant immigration procedures
- Tackle those who seek to stir up religious and racial hatred or violence
- Ensure the security of the nuclear and aviation industries

- Improve the security of dangerous substances that may be targeted or used by terrorists
- Extend police powers available to relevant forces
- Ensure that [they] can meet [their] European obligations in the area of police and judicial co-operation and [their] international obligations to counter bribery and corruption
- Update parts of the UKs anti-terrorist powers.⁵⁰

Although many of the measures contained in the Bill gained little attention from parliamentarians and the media alike, there were several provisions that proved to be highly controversial. Press releases and briefing notes from civil liberty groups and Muslim interest groups, as well as statements emanating from both the lower and upper houses, voiced concern about how the government would achieve the required equilibrium between national security and civil liberties.⁵¹ Many also dismissed the practicability of the legislation, arguing that the UK had an array of existing laws in the areas of anti-terrorism, criminal justice and immigration that could deal adequately with the potential terrorist threat.⁵² However, both the

⁵⁰ Extract taken from the 'Explanatory Notes' to the ATCSA 2001. Online. Available HTTP: <<http://www.parliament.the-stationery-office.co.uk/pa/cm200102/cmbills/049/en/02049x--.htm>> (accessed 22 March 2014)

⁵¹ For example, writing in the *Daily Telegraph* on 16 November 2001, the shadow Home Secretary, Oliver Letwin, stated that his Party believed that the Bill 'raise[d] deep questions about the balance between safety and liberty' (p. 28). Similarly, the leader of the Liberal Democrats, Charles Kennedy, argued that he would only back the Bill if the government paid greater attention to getting the 'balance right' (*BBC One's War Report*, 25 November 2001).

⁵² For example, in their Second Report on the Bill, published on 16 November 2001, the Joint Committee on Human Rights (2001) argued that the Terrorism Act 2000 already contained provisions that 'makes it a criminal offence triable in the United Kingdom to do anything to finance, prepare for or carry out acts of terrorism (very widely defined) anywhere in the world (para 6). Furthermore, increased powers for the police and security services to conduct 'intrusive and other kinds of surveillance were thoroughly re-examined and extended in the Regulation of Investigatory Powers Act 2000' (para 7).

Conservatives and the Liberal Democrats were broadly supportive of the proposed measures, with most of the oppositions to the Bill emanating from the House of Lords and NGOs. The police and the security services were also supportive of the proposals, as confirmed by the recollections of the Labour MP Chris Mullins who met with both Ben Gunn from the Association of Chief Police Officers and the head of MI5, Sir Stephen Lander, prior to the bill's introduction to parliament (Mullins, 2010: 234–235).

One of the major difficulties for the government was what to do about foreign nationals who were considered a significant risk to national security, but who could not be deported to countries with poor human rights records. In an attempt to overcome this dilemma, the government included a section (Part 4) that would allow for the indefinite detention without charge or trial of foreign terrorist suspects, as well as provisions that could severely hinder the appeals process.⁵³ However, the enactment of Part 4 required the derogation from Article 5 of the European Convention on Human Rights – protecting the individual's right to liberty and security. Under the ECHR, such derogation is reserved for 'public emergencies threatening the life of the nation' (Article 15, ECHR). On its introduction, civil liberty advocates and parliamentarians from across the political spectrum questioned the implications of Part 4 on human rights, particularly its threat to the protections afforded by habeas corpus.⁵⁴ Liberty argued that the

⁵³ One of the most controversial measures disallowed the detainee to access the evidence held against him/her.

⁵⁴ On 16 December 2004, a committee of law lords found in favour of nine foreign detainees by declaring that the indefinite detention of foreign suspects without charge or trial contravened the ECHR/HRA. This case, as well as the government's response to it, will be further discussed in the next chapter.

measure would contravene the right to due process, as well as remove the ancient right of presumption of innocence. In its Briefing on the Bill, Liberty stated that, ‘[t]he most dangerous measure being proposed [indefinite detention] will give the authorities the power to intern on the basis of suspicion, to imprison not on the basis of what a person has done but what some intelligence expert thinks they might do’ (Liberty, 2001: 3). Likening indefinite detention to the internment of Irish nationalists during the Northern Ireland troubles, Liberty goes on to argue that, ‘[t]his time those interned are likely all to be [Muslims]’ (Ibid.: 5). Just as Irish nationalists during the troubles were constructed as a ‘suspect community’, Liberty argued that the measure would unduly target Muslims, which ‘could have a disastrous effect upon community relations’ (Ibid.).⁵⁵ Similarly, the Islamic Human Rights Commission (IHRC) maintained that most of the terrorist suspects detained under the new laws would likely be nationals from Muslim countries already defined ‘as rogue states that harbour terrorists’ (IHRC, 2001). Consequently, ‘[t]he targeting of those nationals and the disproportionate effect of the anti-terrorism measure upon them, is likely to create tension amongst the British Muslim communities who may again feel that Muslims are being intentionally subjected to adverse treatment’ (Ibid.). The IHRC also argued that the measure could ‘result in the incarceration of innocent asylum seekers who, having fled from oppression in their own homelands, will find themselves having draconian measures imposed upon them in the “safe haven” of the UK’ (Ibid.).

⁵⁵ In their 2004 report on the impact of anti-terrorism laws on the British Muslim population, Liberty argued that, ‘[t]he similarities between the treatment and experiences of the Irish community at the height of the IRA threat and of the British Muslim community today, are striking’ (Liberty, 2004: 3). The report also stated that, ‘[p]olice powers have been used disproportionately against the Muslim population in the UK’, with the majority of those arrested ‘subsequently [being] released without charge, or charged with offences unrelated to terrorism’ (Ibid.). This, Liberty claimed, has resulted in the Muslim population being ‘stigmatised’ and ‘feeling under siege’ (Ibid.).

Additional powers for the police and security services (both domestic and foreign agencies) was another contentious area, with campaigners arguing that under Part 3 of the Bill ('Disclosure of Information'), state agencies would be able to bypass legal safeguards to obtain personal data held by public bodies (Liberty, 2001: 4). Whilst under Part 11 of the Bill ('Retention of Communications Data') communications companies would be required to retain data in the event that it might be required for future investigations, which many argued, undermined the fundamentals of data protection and individual privacy (Ibid.). Challengers to these provisions also argued that the measures were too wide ranging and not specifically aimed at countering terrorism (Ibid.).

Criticism was particularly levelled against the incitement to religious hatred clause (Part 5 of the Bill), which was intended to extend the laws pertaining to incitement to racial hatred to religious hatred. The press was particularly antagonistic to the measure because of its perceived threat to their most cherished right, the freedom of expression. After a double defeat in the Lords, the government conceded and removed the clause. For Blunkett, the hysteria whipped up in the media was the key factor in its withdrawal. Citing the *Times* as being especially provocative on the issue, he admits that there were underlying issues about how to get the balance right:

You're almost bound to be caught as Home Secretary between the two pincer movements of people saying, "Well people should have entire free speech"...On the other hand, why aren't you clamping down on these

people who are very clearly abusing the freedom of speech and communication to cause havoc in our community, and you're trying to walk that tightrope.

(Interview with author, 21 March 2014)

Blunkett made several concessions to get the Bill through the Lords, including a five-year sunset provision for the indefinite detention clause. Despite the difficulties, Blunkett concedes that ‘the combination of a genuine rigorous debate in the media, and a debate in the two houses of parliament, particularly it has to be said in the House of Lords, did make a difference to the outcome of the Bill. It was a better bill’ (Ibid.). Contrastingly, many critics believed that the lack of parliamentary scrutiny hindered both the democratic process and the value of the legislation itself.

4.2 Press Attention

This section presents the results of the quantitative part of the news content study. For ease of reference, Table 4.1 illustrates the progression of the ATCSA 2001 with the corresponding newspaper sample dates, and spans the period between 12 November 2001 (the day the Bill was first introduced) and 15 December 2001 (the day after the Bill gained the Royal Assent).

Table 4.1 Progression of the ATCSA 2001 with corresponding newspaper sample dates (12 November 2001 – 14 December 2001)

PROGRESSION OF ACT	NEWSPAPER SAMPLE DATES
HC first reading: 12 November 2001	13 November 2001
HC second reading: 19 November 2001	20 November 2001
HC committee stage:	
21 November 2001	22 November 2001
26 November 2001	27 November 2001
HC third reading: 26 November 2001	
HL first reading: 26 November 2001	
HL second reading: 27 November 2001	28 November 2001
HL committee stage:	
28 November 2001	29 November 2001
29 November 2001	30 November 2001
3 December 2001	4 December 2001
4 December 2001	5 December 2001
HL report stage:	
6 December 2001	7 December 2001
10 December 2001	11 December 2001
HL third reading: 11 December 2001	12 December 2001
HC consideration of Lords amendments:	
12 December 2001	13 December 2001
13 December 2001	14 December 2001
HL consideration of Commons amendments:	
13 December 2001	
Royal assent: 14 December 2001	15 December 2001
	TOTAL: 15 days

In terms of press attention, the broadsheets devoted significantly more coverage to the ATCSA 2001 than did the tabloids. The *Times* was the most prolific in terms of output, devoting 13,009 words (23 articles) to the debates surrounding the passage of the Bill. This was closely followed by the *Guardian* with 12,098 words (20 articles) and the *Daily Telegraph* with 9,365 words (19 articles). Out of the tabloids, the *Daily Mail* devoted 4,518 words (10 articles) to the debates compared with its redtop rivals, the *Sun* and the *Mirror*, with the *Sun* devoting 1,662 words (10 articles) and the *Mirror* just 875 words (6 articles). Figure 4.1 provides an illustrative representation of the number of words each newspaper devoted to the debates, and Table 4.2 shows the number of words and total number of articles per newspaper.

Figure 4.1 Words devoted to the ATCSA 2001 by newspaper

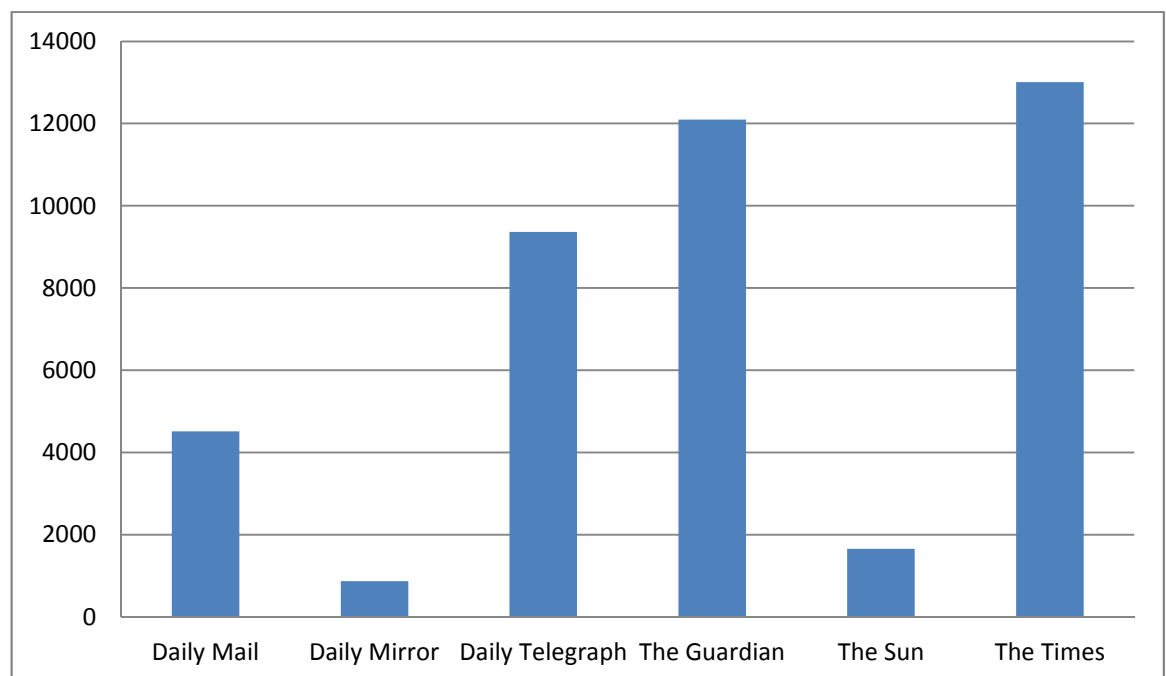


Table 4.2 Total number of words and articles devoted to the ATCSA 2001 per newspaper

Newspapers	Total Words	N Articles
<i>Daily Mail</i>	4,518	10
<i>Daily Mirror</i>	875	6
<i>Daily Telegraph</i>	9,365	19
<i>The Guardian</i>	12,098	20
<i>The Sun</i>	1,662	10
<i>The Times</i>	13,009	23
Total	41,527	88

Figure 4.2 shows a timeline of the number of articles that appeared in each newspaper over the duration of the passage of the Bill. In terms of which issues garnered the most attention, media interest peaked on 20 November 2001 (17 articles) and 11 December 2001 (12 articles), which corresponded respectively with the bill's second reading in the commons on the 19 November 2001 and the second day of the House of Lords report stage on 10 December 2001. On 20 November, much of the focus was on the political conflict between Blunkett and Labour rebels, which attracted headlines such as 'Blunkett barracked by Labour MPs' in the *Times* (p. 4), 'MPs savage terror bill' made the front page in the *Guardian* and from the *Mirror*, 'MPs' fury at Blunkett terror laws' (p. 2). Whilst on 11 December 2001, much of the coverage dealt with the government's defeat in the Lords.

Figure 4.2 Number of articles appearing in all newspapers over the sample period (12 November 2001 – 14 December 2001)

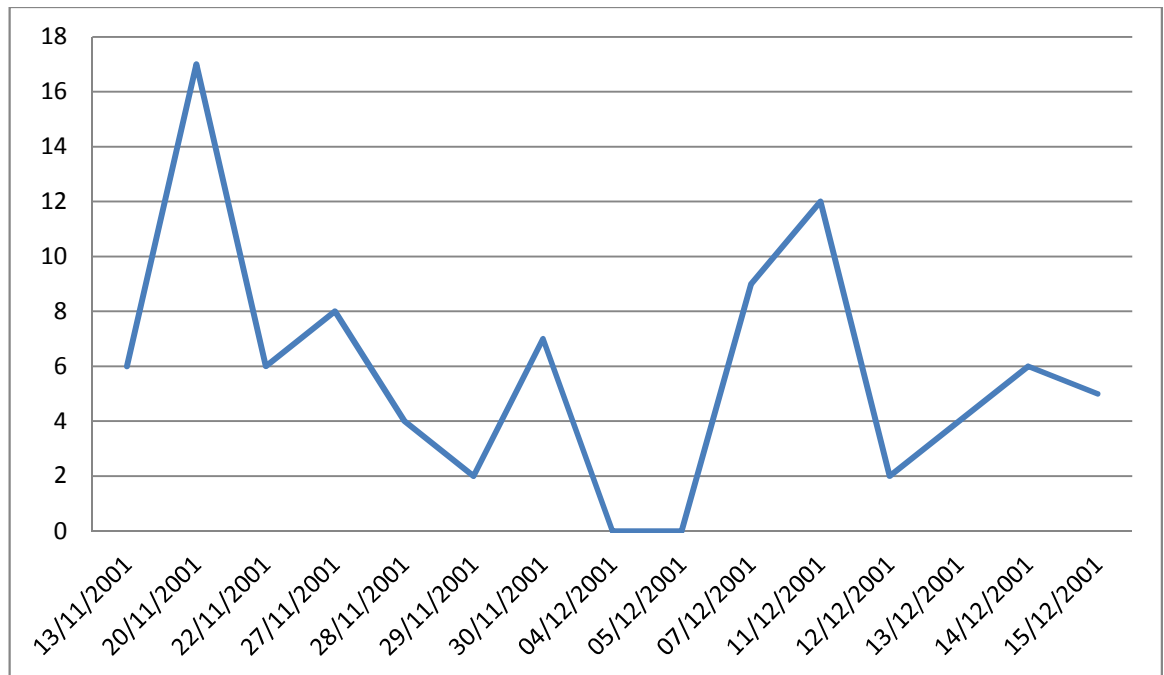


Table 4.3 shows the story location of news items by newspaper. In terms of story location, the three broadsheets were the only newspapers to devote front page coverage to the debates. On 20 November 2001, the front pages of both the *Guardian* and the *Times* included stories that focused on the political conflict in parliament. Whilst the front page of the *Daily Telegraph* on 22 November 2001 focused on the ‘biggest backbench rebellion’ of the current parliament, resulting in Blunkett having to curtail some of his powers, and 11 December 2001 the focus switched to the opposition in the Lords to the religious hatred clause. Attention on this issue continued in the *Guardian* on 12 December 2001, and on 14 December 2001, both the *Guardian* and the *Daily Telegraph* focused on Blunkett’s climbdown on the clause after its rejection in the Lords. Meanwhile, the *Times* included only a brief front page news item on 27 November 2001, announcing

that Labour rebels had joined forces with the opposition in voting against the religious hatred clause, whilst the focus on 7 December 2001 was on the Lords defeats. However, the vast amount of news items included in both the broadsheets and the tabloids were reserved for the inside pages. Very few articles appeared in the features pages or editorial sections.

Table 4.3 Story location by newspaper (ATCSA 2001)

Newspaper	Front Page	Inside Pages	Feature	Editorial	Total
<i>Daily Mail</i>	0	8	0	2	10
<i>Daily Mirror</i>	0	6	0	0	6
<i>Telegraph</i>	3	14	1	1	19
<i>The Guardian</i>	3	12	4	1	20
<i>The Sun</i>	0	9	1	0	10
<i>The Times</i>	3	15	2	3	23
Total	9	64	8	7	88

Table 4.4 shows the format of the news items. The majority of the articles were defined as hard news, with few background or editorial pieces. Of the editorials, the *Times* included three, with the *Daily Telegraph* and the *Times* including one apiece. Among the tabloids, the *Daily Mail* included two editorials, but none appeared in the *Mirror* or the *Sun*. However, with the exception of the *Mirror*, there were a few feature articles appearing across the newspaper spectrum – three in the *Daily Telegraph*, and five each in the *Guardian* and the *Times*. Of the three tabloids, both the *Daily Mail* and the *Sun* included one a piece.

Table 4.4 Article format (ATCSA 2001)

Newspaper	Hard News	Background	Editorial	Feature	Total
<i>Daily Mail</i>	6	1	2	1	10
<i>Daily Mirror</i>	6	-	-	-	6
<i>Telegraph</i>	15	-	1	3	19
<i>The Guardian</i>	14	-	1	5	20
<i>The Sun</i>	9	-	-	1	10
<i>The Times</i>	14	1	3	5	23
Total	64	2	7	15	88

Table 4.5 shows the type of author. Of the three titles that included pieces by guest opinion writers, the *Daily Telegraph* contained a piece on 20 November 2001 by the novelist Robert Harris, the *Guardian* published pieces by David Blunkett on 20 November 2001 and his counterpart the then Conservative Shadow Home Secretary Oliver Letwin on 7 December 2001. Letwin also wrote a similar piece for the *Times* on 13 December 2001. Overall, staff writers penned the most articles.

Table 4.5 Type of Author (ATCSA 2001)

Newspaper	Staff News	Regular Opinion	Guest Opinion	Editorial	Not Stated	Total
<i>Daily Mail</i>	4	2	-	2	2	10
<i>Daily Mirror</i>	5	-	-	-	1	6
<i>Daily Telegraph</i>	12	2	1	1	3	19
<i>The Guardian</i>	14	3	2	1	-	20
<i>The Sun</i>	1	1	-	-	8	10
<i>The Times</i>	13	3	1	3	3	23
Total	49	11	4	7	17	88

Table 4.6 shows the number and type of visuals that appeared in each newspaper.

There was a notable lack of visuals accompanying the articles across the

newspapers, with ten visuals appearing, representing just ten per cent of the total news output. The *Times* featured the most visuals, four in total. These included two generic photos of Blunkett and one depicting a mass crowd of Muslims praying in Trafalgar Square in front of the National Gallery, which accompanied an article about the religious hatred clause, with the caption announcing that the clause would benefit Muslims. They also included a cartoon depicting Blunkett in Muslim religious dress with a rifle firing a plume of smoke with the caption: ‘Bin Blunkett targets terrorism’ replacing the o in terrorism with a bull’s-eye. Blunkett also appeared alongside articles in the *Mirror* and the *Sun*, as well as twice in the *Daily Mail*. The *Daily Mail* also included a cartoon under the banner ‘Britain will be under a state of emergency today’, depicting an elderly couple who had set up camp on the platform of Baker Street underground station. The depictions of a gas mask and a stash of Vera Lynn records by the side of a wind up record player with the caption: ‘Look mate. This is where we came during the last lot and we’re not leaving till the all clear’, have obvious connotations of the Blitz spirit. The *Guardian* included just one visual, which was of the Labour MP, Diane Abbott, in the context of a news item on the Labour rebels who voted against the Bill. Overall, visuals were not used to reinforce the textual content or to bolster particular frames, and in the Barthesian sense, captions were not used to anchor a particular meaning.⁵⁶ The most surprising aspect was the lack of visuals depicting

⁵⁶ The structure of the press photograph relies on ‘at least one other structure, namely the text – title, caption or article’ to anchor a particular meaning (Barthes, 1977: 16). For Barthes, ‘all images are polysemous’, which ‘poses a question of meaning’ (Ibid.: 38–39). Thus, anchorage in the Barthesian sense of the term, is text that ‘directs the reader through the signifieds of the image, causing him to avoid some and receive others; by means of an often subtle *dispatching*, it remote-controls him towards a meaning chosen in advance’ (Ibid.: 40).

the aftermath of the attacks on the Twin Towers, especially since the Bill was declared as the British response to 9/11.

Table 4.6 Number and type of visuals per newspaper (ATCSA 2001)

	DT	Times	Guard	Mail	Sun	Mir	Total
Visual Type							
Blunkett	-	2	-	2	1	1	6
Cartoon	-	1	-	1	-	-	2
Muslims	-	1	-	-	-	-	1
Labour Rebel	-	-	1	-	-	-	1
Total	-	4	1	3	1	1	10

4.3 The Primary Definers of the News Agenda

This section focuses on which sources shaped the parameters of debate, particularly taking into account the reporter tone toward the sources cited. It assesses the extent to which the assertions of the source were presented in terms of the inclusion or absence of reporter evaluative interpolation. The reporter tone combined with the frequency in which each actor appears can provide evidence to support or challenge the indexing hypothesis. For example, whilst a particular group may be seen to be the primary definers of the news agenda, the inclusion of the reporter tone variable might show that whilst their voices are particularly dominant, the reporter tone may well be deflating.

As predicted, elite sources dominated the parameters of debate, with government sources (Downing Street, the Home Office and Labour MPs) appearing 90 times (123 paragraphs), constituting 39 percent of all actor appearances, and a 38

percent share of all paragraphs devoted to source citations. The second most represented source group was Conservative peers, appearing 38 times (55 paragraphs), which accounted for 16 percent of all source appearances and a 17 percent share of all paragraphs devoted to source citations. Conservative MPs represented 12 percent of all source citations, and an 11 percent share of all citation paragraphs. When considering the opposition parties at an aggregate level – the Conservatives and the Liberal Democrats – they constituted only 14 percent of all source appearances and 14 percent of the total paragraphs devoted to source citations. Therefore, as an oppositional player to the government, their role was greatly diminished in the press. Instead, priority – in terms of citation space – was given to the Conservative peers.

Although many civil liberty and Muslim human rights groups issued several press releases and briefing notes during the course of the bill's passage, the British press significantly underrepresented their voices – that is not to say, however, that their views were absent from the coverage, merely represented in an indirect form. The *Daily Mail* was the only newspaper to include a citation from a civil liberties group, with the *Daily Telegraph* and the *Guardian* being the only newspapers to include citations from Muslim interest groups. Given the centrality of the incitement to religious hatred clause and its impact on freedom of expression, this was a surprising finding. Table 4.7 shows the frequency of appearance and total paragraphs devoted to all source citations.

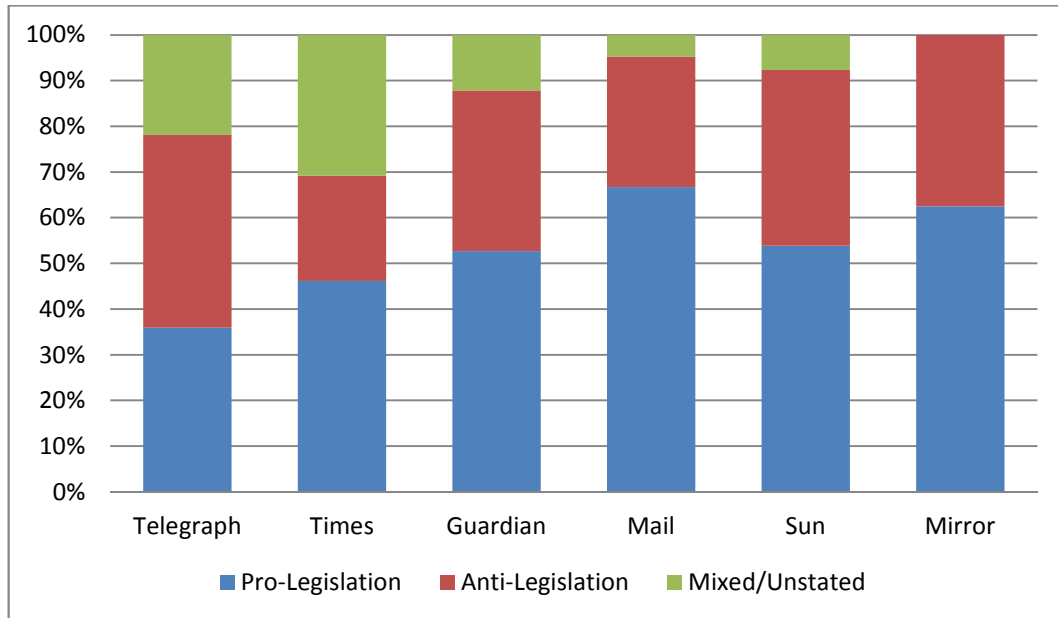
Table 4.7 Frequency of appearance and total paragraphs devoted to direct and indirect source citations (ATCSA 2001)⁵⁷

Source	DT <i>n</i> (Pars)	Times <i>n</i> (Pars)	Guard <i>n</i> (Pars)	Mail <i>n</i> (Pars)	Sun <i>n</i> (Pars)	Mir <i>n</i> (Pars)	Total <i>n</i> (Pars)
Civil Lib	-	-	-	1 (2)	-	-	1 (2)
Con Party	8 (12)	8 (8)	8 (10)	3 (5)	-	-	27 (35)
Con Peers	17 (24)	6 (9)	9 (15)	3 (4)	2 (2)	1 (1)	38 (55)
Con Opp	-	-	1 (1)	-	-	-	1 (1)
Downing St.	4 (4)	1 (1)	-	-	1 (1)	-	6 (6)
Home Office	8 (14)	17 (22)	20 (28)	10 (18)	4 (9)	5 (5)	64 (96)
Lab Party	5 (5)	4 (4)	8 (9)	2 (2)	1 (1)	-	20 (21)
Lab Peers	6 (12)	3 (7)	8 (10)	-	1 (1)	1 (2)	19 (32)
Lab Rebels	3 (3)	5 (5)	7 (7)	2 (2)	2 (2)	1 (1)	20 (20)
Law Lords	-	1 (1)	-	-	-	-	1 (1)
LD Party	1 (2)	2 (2)	3 (5)	-	-	-	6 (9)
LD Peers	7 (13)	3 (3)	5 (6)	-	1 (1)	-	16 (23)
Muslim	1 (1)	-	1 (1)	-	0	-	2 (2)
All Opp	-	-	2 (2)	-	-	-	2 (2)
Other Peers	2 (9)	1 (1)	2 (2)	-	-	-	5 (12)
Security	-	-	-	-	1 (2)	-	1 (2)
Speaker HC	2 (2)	1 (1)	-	-	-	-	3 (3)
Total	64 (101)	52 (64)	74 (96)	21 (33)	13 (19)	8 (9)	232 (322)

⁵⁷ NB. The first figure in each cell represents the number of times a particular source was cited, whilst the figure in brackets represents the total paragraphs devoted to each source group.

Figure 4.3 shows the proportion of pro-legislation, anti-legislation and mixed/unstated sources included in each newspaper based on frequency of appearance (a full breakdown of the sources and their positions on the legislation can be found in Appendix 7). Across all of the newspapers, pro-legislation sources accounted for 48 percent of the total share, anti-legislation 34 percent and mixed/unstated sources 18 percent. Individually, the *Daily Telegraph* included quotes from a higher proportion of anti-legislation sources (42 percent) compared with 36 percent for pro-legislation and 22 percent for mixed/unstated sources. Inversely, the *Times* devoted the most space to pro-legislation sources (46 percent) and the least amount of space to anti-legislation sources (23 percent), with mixed/unstated sources constituting 31 percent of the share. Proportionally, the *Guardian* included the most pro-legislation sources (53 percent), with 35 percent of space devoted to anti-legislation sources and 12 percent to mixed/unstated source positions. Across all the newspapers, the *Daily Mail* had the highest proportion of pro-legislation sources (67 percent), with 29 percent of space devoted to anti-legislation sources. The *Sun* and the *Mirror* also had a higher proportion of pro-legislation sources than the broadsheets, with 54 percent and 63 percent of all their respective sources reflecting a pro-legislation stance, with anti-legislation sources constituting 38 percent of the share across both titles.

Figure 4.3 Source position on legislation as proportion of frequency of appearance (ATCSA 2001)



Across all the newspapers, Figure 4.4 shows that 91 percent of the reporter tone toward the sources cited was coded as straight, with 6 percent of all source citations coded as deflating and 3 percent as reinforcing of source assertions. However, this is not a remarkable finding. As stated in the previous chapter, the preponderance of straight reporting has been commonplace in studies employing a similar tone measure.

Figure 4.4 Reporter tone toward all sources across all newspapers as percentage (ATCSA 2001)

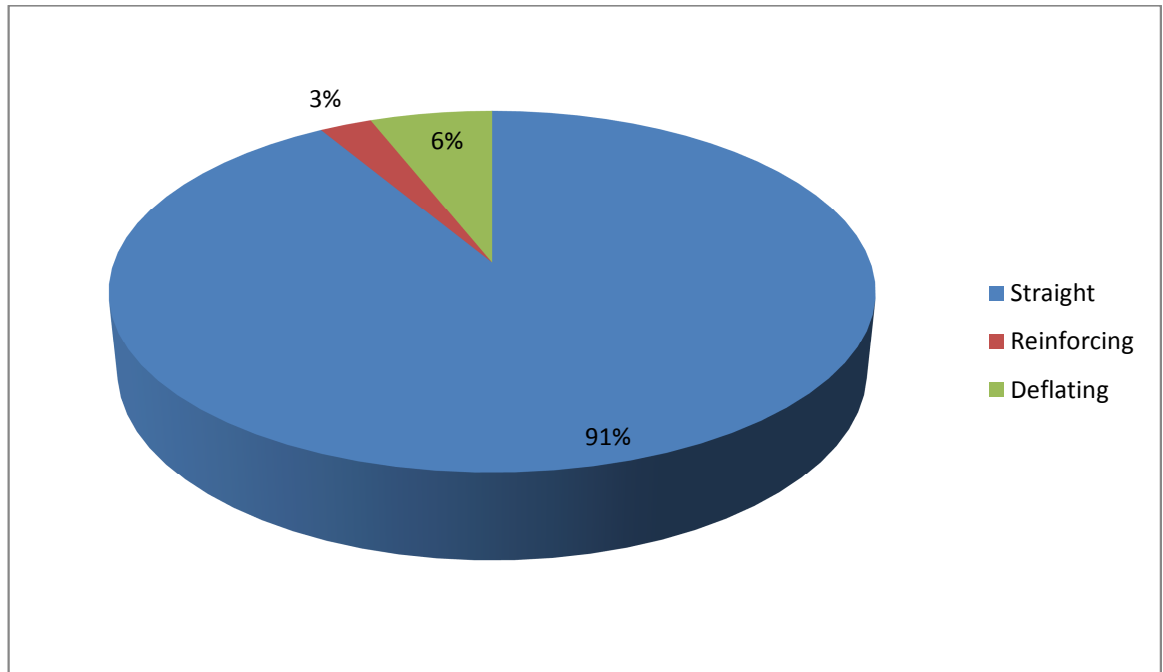


Table 4.8 illustrates the reporter tone toward the different source positions in each newspaper. As Figure 4.4 revealed, the vast majority of articles contained a straight reporter tone toward the sources cited. When looking at the newspapers individually, the most surprising finding was the absence of any evaluative comments that supported or undermined the assertions of a source in the *Sun* and the *Mirror*, especially as both titles are known for their overtly opinionated style. Similarly, the *Daily Mail* also had a high preponderance of straight reporting, with the only occurrence of a reinforcing tone reserved for a Home Office source. On the two occasions where the reporter tone was coded as deflating toward a source, one was directed at the Conservative Party and the other a Labour MP. Out of the

broadsheets, only the *Times* included evaluative comments that were reinforcing of a source assertion, twice toward Home Office sources, twice toward the Liberal Democrat Party and once toward the Conservative Party. Of the two occurrences of deflating evaluative comments, one was directed at a Conservative peer and the other toward a crossbench peer, the former being anti-legislation and the latter's position coded as not stated. On three occasions, the *Daily Telegraph* made deflating evaluative remarks against government source assertions, once against the Conservative Party and once against the Speaker of the House of Commons. Whilst the *Guardian* made one deflating comment toward a Labour rebel, with four directed at assertions made by government sources.

Table 4.8 Reporter tone toward pro- and anti-legislation sources (ATCSA 2001)

	DT	Times	Guard	Mail	Sun	Mir	Total
Source Position							
Pro-Legislation	23	24	39	14	7	5	112
Straight	20	22	35	12	7	5	101
Reinforcing	-	2	-	1	-	-	3
Deflating	3	-	4	1	-	-	8
Anti-Legislation	27	12	26	6	5	3	79
Straight	27	11	25	6	5	3	77
Reinforcing	-	-	-	-	-	-	-
Deflating	-	1	1	-	-	-	2
Mixed/Unstated	14	16	9	1	1	-	41
Straight	12	12	9	-	1	-	34
Reinforcing	-	3	-	-	-	-	3
Deflating	2	1	-	1	-	-	4

4.4 Media Framing of Policy Debates

This section discusses the ways in which the press framed the political debates surrounding the passage of the Bill. Beginning with an overview of the findings of the content analysis, it then provides a comparative analysis of the key themes or depictions inherent across the newspaper sample.

Across the entire newspaper sample, the politics frame predominated, amounting to 34 percent of all articles, whilst 28 percent of the articles did not display any significant framing or reasoning devices relevant to a particular frame. Just seven percent of all articles displayed exclusive elements of the security frame, 16 percent the civil liberties frame, with mixed frames constituting the remaining 15 percent of the articles. Figure 4.5 provides an illustrative representation of which frames predominated across the sample. When comparing the broadsheets and the tabloids, five percent of all articles in the broadsheets and 12 percent of all articles in the tabloids reflected the security frame. The ratio is inverted for the civil liberties frame, where 21 percent of the broadsheets output framed the debates as a civil liberties issue compared with just four percent of all articles in the tabloids. There was a heavy slant towards the politics frame in both the broadsheets and the tabloids, constituting 37 percent and 27 percent of their respective outputs. However, there was a higher prevalence of frameless articles across the tabloids sample, 38 percent, compared with 24 percent for the broadsheets. This can partly be explained by the tabloids higher use of the brief news format, as well as the tendency to downplay or ignore political news that might not contain enough newsworthy elements for their readership. The high proportion of articles

reflecting the politics frame across the entire sample could also be due in part to audience demand – on the basis that conflict has a higher news value than the mundane processes of politics, coupled with the increasing apathy toward politics amongst the British public.

Figure 4.5 Predominant frames (%) across all newspapers, broadsheets and tabloids (ATCSA 2001)

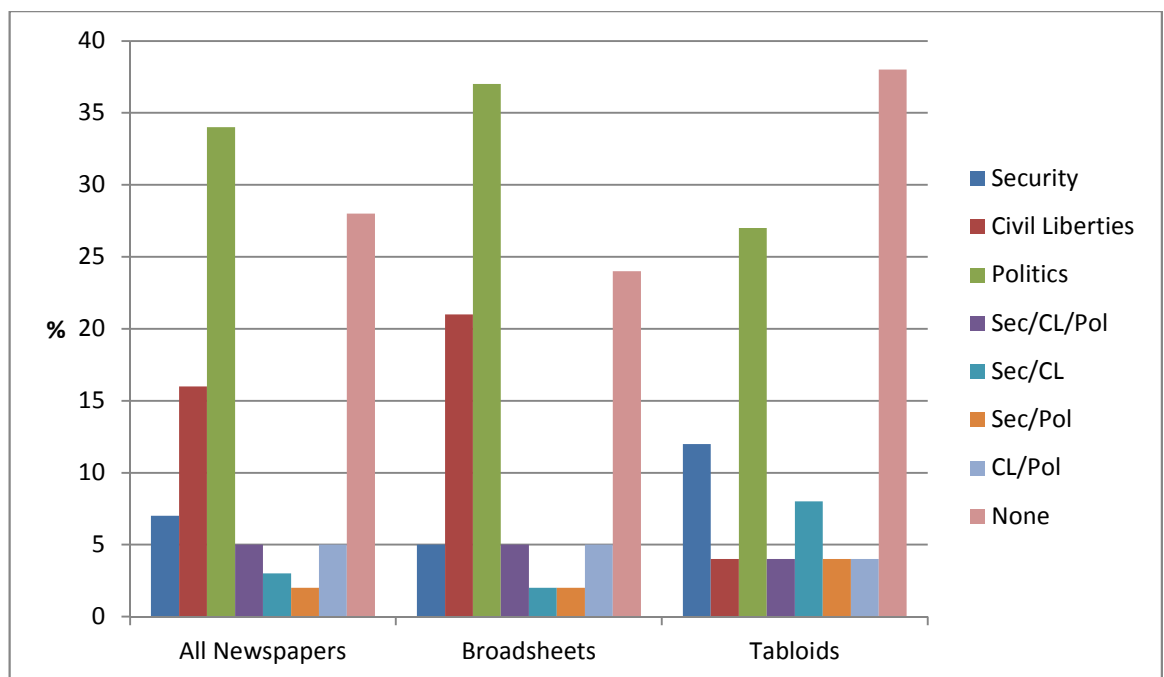


Table 4.9 shows the predominant frames per newspaper. The security frame was most prevalent in the *Times* and the *Daily Mail* with two articles apiece. Only one security-slanted article was published in the *Guardian*, but this was a guest opinion piece by David Blunkett. Despite the *Sun*'s overt support of the government's position, only one article was defined as reflecting an exclusive security frame. The *Daily Telegraph* and the *Mirror* did not include any articles that focused exclusively on security perspectives. The civil liberties frame made

over twice as many appearances as the security frame, and was particularly prevalent in the three broadsheets. It made just one appearance in the *Daily Mail* but was non-existent in the two redtops. As hypothesised, the civil liberties frame was most prevalent in the *Guardian*, but surprisingly absent from the *Mirror*, a tabloid that is generally seen as being more sympathetic to civil rights issues. Leaving the ‘none or insufficient frames present’ category aside, as noted above, the politics frame was the most prevalent across the whole newspaper sample, occurring most frequently in the *Daily Telegraph*.

Table 4.9 Predominant frames per newspaper (ATCSA 2001)

	DT	Times	Guard	Mail	Sun	Mir	Total
Frames							
Security	-	2	1	2	1	-	6
Civil Liberties	4	4	5	1	-	-	14
Politics	10	7	6	3	2	2	30
Sec/CL/Pol	-	1	2	-	1	-	4
Sec/CL	-	1	-	1	-	1	3
Sec/Pol	-	1	-	-	1	-	2
CL/Pol	1	1	1	-	-	1	4
None	4	6	5	3	5	2	25
Total	19	23	20	10	10	6	88

Figure 4.6 presents the quotient of frames per newspaper. The following presents the percentages with the exclusion of the mixed frame constituent. Twenty-one percent of the *Daily Telegraph*'s coverage reflected the civil liberties frame, and 53 percent the politics frame. In the *Times*, 9 percent of articles reflected the security frame, 17 percent the civil liberties frame and 30 percent the politics frame. The *Guardian* devoted more space to civil liberty perspectives, with 25 percent of all articles reflecting this frame, and 30 percent reflecting the politics

frame. Thirty percent of all articles in the *Daily Mail* also reflected the politics frame, with 20 percent devoted to security perspectives and 10 percent to civil liberties. The *Sun* and the *Mirror* had the highest proportion of frameless articles, 50 percent and 33 percent correspondingly.

Figure 4.6 Composition (%) of frames per newspaper (ATCSA 2001)

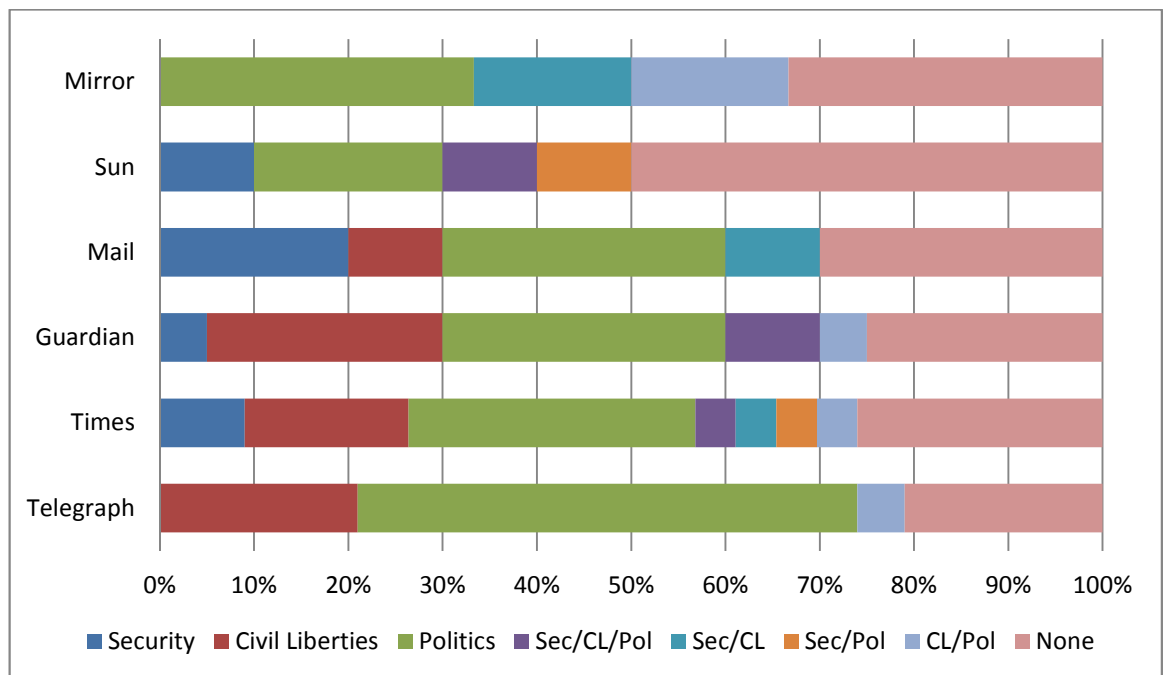
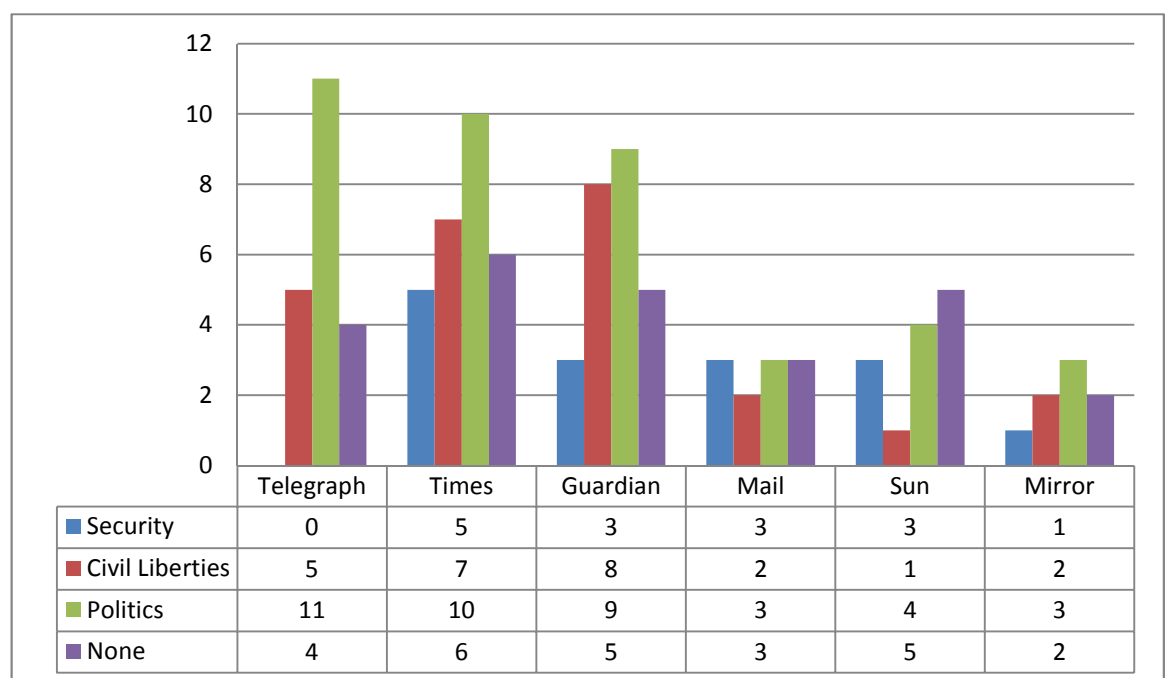


Figure 4.7 shows the predominate frames at an aggregate level. When the mixed frames are combined with the three meta frames (security, civil liberties and politics) the findings show that the politics frame is still the most prevalent across the newspaper sample. The exception being the *Daily Mail*, where at an aggregate level, no single frame dominated the coverage, with each frame gaining more or less equal prominence.

In relation to the other two tabloids, half of the articles in the *Sun* did not display any framing or reasoning devices of a particular frame, whilst four reflected the politics frame, three the security frame and just one article contained elements relevant to the civil liberties frame. The *Mirror* devoted the least amount of coverage to the debates, with just one article displaying the security frame, two the civil liberties frame, three the politics frame, and two articles were coded as frameless.

The *Daily Telegraph* was the only newspaper whose news items did not contain any elements of the security frame. At an aggregate level, the politics frame predominated with 11 articles displaying relevant framing or reasoning devices. Five articles displayed elements of the civil liberties frame, whilst four were coded as frameless.

Figure 4.7 Predominate frames at an aggregate level (ATCSA 2001)



As detailed above, the politics frame was the most prevalent frame at an aggregate level. In terms of which themes or depictions were most heavily represented, the majority of the focus was on the political conflict between the government and elites, and to a lesser extent between the government and Labour rebels. This was especially the case in the three broadsheets. Negative references to the Human Rights Act or the ECHR, as well as to the EU or the European Court of Human Rights were especially prevalent in the Murdoch press, and used as a means to criticise New Labour's policies within these areas. Similarly, there was also a heavy focus on the government's 'weak' asylum and immigration policy in both the *Times* and the *Sun*. Whilst the *Guardian* also focused on the government's abuse of power and draconian laws in the wider context.

The most prevalent theme or depiction in relation to the civil liberties frame was the lack of parliamentary scrutiny especially in terms of the impact this would have on the legislation itself rather than as a critique of New Labour's modernising project. Again, this was most prevalent in the three broadsheets. This was closely followed by the 'excessive state powers' theme and the concern that the provisions contained in the Bill were too wide-ranging. Also, there was a focus on how the legislation would compromise civil liberties in general.

In relation to the security frame, the two most prevalent themes related to the perceived threat level. The first theme reflected the urgency with which the Bill needed to be passed, with the second depicting the government's proposals as a proportionate response to the threat level. In relation to the need for urgent

legislation, this was most prevalent in the *Times* and the *Daily Mail*, whilst the proportionate response theme had most prominence in the Murdoch press.

4.5 Editorial and Commentary Standpoints

This section focuses on the explicit ideological direction of each newspaper, as expressed in the editorials and commentary pieces. Where limited or no editorial or commentary content has been included, examples of article headlines and subject matter will be substituted to provide a snapshot of characteristic coverage.

Daily Telegraph: On 13 November 2001, an article focused on opposition MPs objection to Blunkett's announcement of the new security measures via the media rather than before the Commons, with a political sketch focusing on Blunkett's absence from the House to the annoyance of opposition MPs and Labour backbenchers. On 20 November 2001, Frank Johnson's political sketch explicitly accused the Home Office of scaremongering by introducing 'incomprehensible measures' that are being rushed through parliament because they 'Must Be Seen To Be Doing Something About It...the "it" being, in this case, the September 11 events' [Capital letters in the original]. The same article also included the oft-cited phrase by the Labour MP Kevin Hughes who denounced those opposed to the Bill as 'the yoghurt-eating, muesli-eating, Guardian-reading fraternity' (20 November 2001, p. 16).

Another opinion piece that appeared on 20 November 2001 was by the writer Robert Harris, who focused exclusively on the ways in which the proposed

measures would infringe ancient civil liberties. Attacking the proposals that would require internet service providers to retain records of individuals search history and emails – which the police would be able to examine in the interests of national security – Harris warns that ‘the prevailing atmosphere of war hysteria’ will lead to ‘a kind of technological totalitarianism’, where individual liberties are ‘permitted only under Home Office licence’ (20 November 2001, p. 25).

Interestingly, Harris was part of the original New Labour project, and a close friend of both Blair and Peter Mandelson. Therefore, to compose a piece for an avowed Tory newspaper criticising the policies of his erstwhile friend gives succour to the stance taken by the *Daily Telegraph*. In his opening paragraph, Harris mentions Hitler’s belief that fighting terrorism can be a positive means in ensuring that ‘Germany will remain in a state of perpetual alertness’ (Ibid.). The point that Harris is making is that ‘all governments, be they elected or imposed, strive ceaselessly to maximise their power, and never is this more easily done than in wartime’ (Ibid.).

Editorially, the *Daily Telegraph* argued that, whilst some of the measures proposed were ‘sensible’, the government had failed to make a strong enough case ‘to justify greater intrusion’ into the private lives of British citizens (30 November 2001, p. 29). The newspaper took particular issue with the incitement to religious hatred clause on the basis that it could hinder freedom of expression, as well as the provision allowing police greater powers to access private data held by public bodies. Another major point of disagreement was the indefinite detention without trial clause, which it viewed as a ‘direct attack on the ancient legal right of habeas

corpus' (Ibid.). Like the *Daily Mail* (see below), the *Daily Telegraph* also use the editorial to attack the European Convention on Human Rights, which, due to the UK being party, meant that the deportation of terrorist suspects to countries with poor human rights records was disallowed. This had, they claimed, led the government to propose a 'thoroughly illiberal and unjust' clause (Ibid.).

The Times: Overall, the *Times* was supportive of the Bill and of the government in general. In an editorial entitled 'Blunkett's Bill: A necessary measure to deny terrorists a haven in Britain', the newspaper is explicit in its advocacy of both Blunkett as Home Secretary, which it extols as having argued his case with 'admirable clarity', as well as of the 'balanced and proportional' measures contained in the Bill (20 November 2001, p. 17). Whilst voicing its approval of the government's decision to derogate from Article 5 of the European Convention on Human Rights, the *Times* also uses the editorial to deride the government's previous judgement to incorporate the Convention into domestic law. The editorial argues: 'Britain has been caught in a trap of its own making', which has led to the UK being 'bound not only by the Convention itself but also by its subsequent interpretation by the Strasbourg judges' (Ibid.).

The Guardian: In the interest of balance, the newspaper provides space for opinion pieces by David Blunkett, entitled 'This is not internment' (20 November 2001, p. 17), as well as the shadow home secretary Oliver Letwin, who states that, 'We want the terror bill to become law. But only if the onslaught on our civil liberties is first removed' (7 December, p. 22). However, editorially, the *Guardian*

had contempt for both sides of the political equation, albeit for different reasons. Blunkett, for his support of draconian measures, and for his service to a party that had sacrificed its leftist principles in the pursuit of power, and Letwin for belonging to an ineffectual faction of the political class that no longer has the power to challenge the autocracy that is New Labour.

On 20 November 2001, Simon Hoggart is critical of the lack of time allowed for parliamentary scrutiny of the Bill. In a sideways swipe at New Labour's turn towards the right on the political spectrum, he states: 'The bill is likely to be law by this time next week. Even rightwing MPs felt that, when it came to abolishing a right established in Magna Carta 786 years ago, they should spend slightly longer than seven days on the job' (20 November 2001, p. 4).

Hugo Young, in his opinion piece entitled 'Once lost, these freedoms will be impossible to restore' is also critical of New Labour's move towards the right. Highlighting the shared stance of the 'ultra-hard right' US attorney general John Ashcroft and Blunkett, a stalwart of the 'old Labour left', he accuses both of being 'fellow spirits, hungry for power in the name of a security that piously throws to the jailers the freedom it's supposed to be defending' (11 December 2001, p. 14). Comment is also made on the role of the Commons and the Lords in terms of the extent to which each House questioned the proposed measures. Highly critical of the Commons, who in his view, 'have been useless' and 'showed such utter negligence towards so impressive a list of fundamental principles', with the Lords, on the other hand, praised for their serious debate, formidable resilience

and moral standing, who have been far more effective scrutinisers, questioners and amenders of the Bill than the lower house (Ibid.).

This theme is repeated in an editorial on 15 December 2001, entitled: 'The tame parliament: MPs need to reassert their independence' (15 December 2001, p. 21). Attacking the incompetence of parliament whilst praising the accomplishment of the House of Lords, it argues:

Parliament, but not the government, has come well out of this week. The anti-terrorism Bill was a classic example of a piece of legislation that was drafted too quickly, too broadly and too loosely. It cried out to be scrutinised and debated properly and, up to a point, it was - but only in the unelected House of Lords. The performance of the upper house in the last three weeks has been admirable in the circumstances, which is a lot more than can be said for the lower one. If it had all been left to the elected House of Commons, the people's liberties would have been plundered even more shamefully than they have been in David Blunkett's controversial new law.

(Ibid.)

However, the majority of the editorial focuses on the wider state of modern politics under the New Labour government. Attacking the 'culture of autocratic centralism' of Blair and his cohorts, it warns that the political system in Britain is becoming ever more presidential, run from the top down to the detriment of any proper parliamentary procedure. It warns that even the political media are in the

service of the New Labour apparatus, with the only watchdog being the ‘almost wholly autonomous but parallel Gordon Brown government’, albeit one which has an ‘identically autocratic culture’. In a special appeal to Labour MPs, the

Guardian writes:

The Commons...have allowed themselves to become the servants of a new form of autocratic power, in the shape of the executive presidency. MPs - Labour MPs in particular - therefore have to decide whom they serve. Do they serve their voters and the parliamentary system which is intended to protect local and sectional interests? Or do they serve the executive presidency (either version of it) which tells them what they must do, think, and say? They cannot do both. The future of our country rests on the choice they make.

(Ibid.)

The Daily Mail: In an editorial on 20 November 2001, the *Daily Mail* declared that they were ‘broadly’ supportive of the measures contained in the Bill, stating that ‘These are dangerous times and they demand special measures’ (20 November 2001, p. 10). However, in justifying the measures, the *Daily Mail* also use it as an opportunity to attack the meddling role played by the European Court of Human Rights in British affairs. It states:

But is it not absurd that he [Blunkett] is having to introduce a draconian measure like the right to jail foreign terrorist suspects without trial, because we have handed over to European courts the basic right to remove from 'our home' those whose presence we do not want?

(Ibid.)

The perceived power of 'Brussels' over domestic constitutional matters is a theme that recurs in an editorial on 11 December 2001, where it strongly objects to 'foreign' police having the power to pry on British citizens. Indeed, whilst the *Daily Mail* continue its 'broad' support of Blunkett's 'sensible measures' it goes on to warn that the 'whole enterprise is at risk of being tainted by others that have little bearing on anti-terrorism' (11 December 2001, p. 10). Specific criticism is levelled at the incitement to religious hatred clause, which it regards as 'a heavy-handed restriction on free speech [that] would prove unworkable in practice' (Ibid.). There was also concern that the government was sneaking in other crime related clauses that had little bearing on anti-terrorism, such as personal data held by hospitals, arguing that measures encroaching on our private lives are 'utterly unacceptable' and could 'set a dangerous precedent for further prying' (Ibid.). Another major theme was the concern over the lack of proper parliamentary scrutiny due to the haste in which the legislation was being debated.

On 13 November 2001, the day after the Bill was introduced to parliament, the headline in the *Daily Mail* declared: 'Blunkett defiant over crackdown on the enemy within', with much of the content of the article supportive of the government's position. For example, the first half presents Blunkett's perspective, with oppositional viewpoints that expressed concerns about the infringement of civil liberties appearing towards the end of the article. However, the majority of the latter half of the article reflects Oliver Letwin's appeal to derogate from the

section in the Human Rights Act that disallowed the deportation of foreign terrorist suspects to countries with poor human rights records. Later coverage focused on Blunkett's defeat in the House of Lords, with headlines declaring a 'Bruising for Blunkett' (11 December 2001, p. 4) and 'Blunkett is forced into terror U-turn' (14 December 2001, p. 6).

The Sun: In terms of the direction of opinion pieces, a feature article by the regular columnist Richard Littlejohn that appeared on 13 November 2001 was explicit in its support for the Bill, contending that the curtailing of civil liberties was acceptable in times of national emergency. Equating asylum seekers, also described as the 'enemy within', with terrorism, Littlejohn surmises: 'But these are not normal times and the fact that known terrorists are at large in this country, often claiming asylum and living on benefits, is an affront to all decent people as well as a threat to national security' (13 November 2001, p. 17).

The 'enemy within' theme reoccurs on 20 November 2001, where the focus switches to how the legislation will deal with British Muslim 'traitors' who return to the UK after fighting alongside the Taliban or Al Qaeda (20 November 2001, p. 8).

The Mirror: Most of the articles focused on either intra party conflict or the dissension between the government and the House of Lords. These themes are illustrated by the headlines: 'Terror Revolt' (27 November 2001, p. 6), 'Terror

Laws Spiked’ (7 December 2001, p. 4) and ‘Blunkett in Climbdown’ (14 December 2001, p. 4).

4.6 Summary

This chapter has analysed the press coverage of the passage of the ATCSA 2001, and found that the overwhelming focus was on party politics with a particular emphasis on the political conflict between the government and the House of Lords, and to a lesser extent between the government and oppositional factions within the Labour party. Whilst some attention was paid to the civil liberties aspects, this, as well as issues pertaining to national security, were secondary to the politics frame. That said, the editorial and commentary analyses revealed that there was broad support for the government’s position from the *Daily Mail* and the Murdoch press. The *Guardian* mainly reflected an anti-government stance, with editorials or commentary used as a conduit to criticise the politics of New Labour more generally. Although the *Daily Telegraph* agreed with some of the measures proposed, the views expressed followed the hitherto anti-government line.

In terms of press attention, the broadsheets devoted more copy to the debates than did the tabloids, and were the only sector of the press to include front page coverage. As mentioned, most of the peak coverage was in relation to the political conflict motif. The majority of news items were defined as hard news, with only a handful of editorials and opinion pieces – mostly contained in the *Guardian* and the *Times*. A surprising aspect was the lack of visuals accompanying the articles,

with only ten percent of articles comprising images, especially given that a large element of the dramatic discourse around 9/11 relied on the iconic imagery of the attacks unfolding in real time.

Source-relations were as predicted, with elite sources dominating the parameters of debate. Government sources were most prevalent followed by Conservative peers, whilst the views of Conservative and Liberal Democrat MPs were largely subordinated. The criticism levelled at the political opposition during the debates could partly explain why this was the case, namely the lack of protest against the Bill meant that their newsworthiness was diminished in the eyes of the press.

There were also very few citations from civil liberties and Muslim rights campaigners. Proportionately, pro-legislation sources accounted for nearly half of all citations, with anti-legislation sources making up a third of the share. As expected, the high percentage of the reporter tone was straight, with the reinforcing comments reserved for pro-legislation and mixed/unstated sources, both of whom also received the majority of the deflating reporter interpolations.

Regarding the view from the Home Office, Blunkett affirms that he was most sensitive to the coverage in the broadsheets (particularly the *Guardian*), and believes that he largely failed to get his message across to this sector. In his mind, this was partly due to cynicism about the role of government in message sending, but also because the critics failed to grasp the true nature of the terrorism threat. According to Blunkett:

The subtlety of reassuring people by indicating that you understood their fears, whilst not pandering to them. I don't think they got that, I think the tabloids were just the tabloids, so it was a story. It was more important to me that the leading figures in the broadsheets got it...But to influence them, to understand that these things were not black and white, that it wasn't, are you in favour of civil liberties or are you against, it's just absurd. That was a struggle, and I don't think I necessarily succeeded, particularly the *Guardian* and the *Independent*. They genuinely thought that we were out to use the genuine threat as a way of carrying through draconian acts.

(Interview with author, 21 March 2014)

In terms of the theoretical implications, on the face of it the dominance of government sources in the press coverage lends support to the government-driven model. However, perceptions that government sources shaped the news agenda are belied by the findings of the framing analysis. Despite the dominance of government sources, there is little evidence to suggest that they had any substantial success in shaping the news agenda. Although there were pockets of support for the Bill across the newspaper sample, a truer reflection of the government's success in terms of message sending would have been a higher incidence of the security frame. This leads to the conclusion that there are occasions when the 'importance of sources should not be overstated' (Robinson et al., 2010: 165). Indeed, this correlates with some of the findings of the Iraq War study, where the overreliance on elite sources could also be found in media

coverage that reflected oppositional and independent reporting (Ibid.). For this particular case study, the overarching evidence provides support for the independent model. On one level, the framing of the debates suggest that even when the country was in the grip of a common threat, the press maintained its adversarial political role. However, by failing to subject the legislation to more robust scrutiny, it could be argued that the press mainly failed in its role as political watchdog.

CHAPTER 5

THE PREVENTION OF TERRORISM ACT 2005

By the end of 2004, one of the most controversial provisions contained in the ATCSA 2001 – the indefinite detention of foreign terrorist suspects – was to prove problematic for the government. A 2003 review of the legislation undertaken by a committee of Privy Councillors, headed by Lord Newton, criticised Part 4 of the Act for not being a ‘sustainable way of addressing the problem of terrorist suspects’, especially in regards to its discriminatory and exclusive focus on foreign nationals (Privy Counsellor Review Committee, 2003: 5). In 2004, the Joint Committee on Human Rights reached the same conclusions, arguing that new legislation should be drafted that dealt with all terrorism, ‘without derogating indefinitely from important human rights obligations’ (Joint Committee on Human Rights, 2004: 3). Blunkett’s response was characteristically emphatic – he not only defended Part 4 in the strongest terms but also claimed that its removal would result in him ‘failing in [his] duty of public protection’.⁵⁸ The matter might have rested there had it not been for the intervention of a committee of nine Law Lords,⁵⁹ which, on 16 December 2004, found in favour of nine foreign detainees held in Belmarsh prison by declaring that their indefinite detention without charge or trial contravened the HRA and the ECHR.⁶⁰ In

⁵⁸ Home Office Press Notice STATO55-2003, *Response to the Report of The Anti-Terrorism, Crime And Security Act 2001 Review*, Rt Hon David Blunkett MP, 18 December 2003.

⁵⁹ Eight of the nine Law Lords agreed to the ruling.

⁶⁰ *A and Others v Secretary of State for the Home Department* [2004] UKHL 56.

summing up, the former Lord Chief Justice, Lord Bingham said that: ‘the decision to detain one group of suspected international terrorists, defined by nationality or immigration status, and not another’ was indefensible and contrary to Britain’s ‘obligations under international law within the meaning of article 15 of the European Convention.’⁶¹ Whilst in his scathing summation, Lord Nicholls declared: ‘Indefinite imprisonment without charge or trial is anathema in any country which observes the rule of law. It deprives the detained person of the protection a criminal trial is intended to afford.’⁶²

Press reaction to the ruling tended to reiterate established leitmotifs, with the *Daily Telegraph* urging the government to prioritise the rights of UK citizens above the rights of foreign terrorist suspects, but reserving most of its vitriol for New Labour’s poor judgement in incorporating the ECHR into British law. The *Daily Mail* also shared the *Daily Telegraph*’s sentiments that the government had played into the hands of the judiciary with the ratification of the HRA. Regarding the Murdoch press, the *Sun* was particularly derisive of the judges’ decision, accusing them of undermining the safety of the nation by putting the interests of foreign terrorists above those of innocent British nationals, whilst the *Times* used its editorial to call on the government to tighten up its asylum and immigration policies. As expected, the *Mirror* and the *Guardian*, the leftist-libertarian arm of the press, greeted the ruling as a triumph for human rights. However, all of the newspapers pondered on how the government would deal with the conundrum of the Belmarsh detainees in light of the ruling. The statutory response came in the

⁶¹ Ibid [68] (Lord Bingham).

⁶² Ibid [74] (Lord Nicholls).

form of control orders, a highly contestable provision included in the Prevention of Terrorism Act 2005 (hereafter referred to as PTA 2005).

This chapter focuses on how the British press reported the PTA 2005. Before presenting the findings of the quantitative and qualitative content analyses of the news content, it provides an overview of the key provisions contained in the Act, as well as the different standpoints of the key actors involved in the debates. The key actors being the government, the political opposition, members of the House of Lords, as well as the police and security services, and to a lesser extent, civil liberties and Muslim interest groups. In terms of the news content study, the chapter has been organised as follows: firstly, it details the quantitative findings, which include the level of press attention devoted to the Bill and the key sources that shaped the news agenda. Secondly, it discusses the findings of the framing analysis, specifically looking at how the media framed the policy debates as well as the editorial responses of particular newspapers. The chapter concludes with a consideration of the overall performance of the press, with special reference to the theoretical arguments discussed in previous chapters. To underpin particular points of discussion, this chapter also draws on some of the insights gleaned from the interview with the then Home Secretary, Charles Clarke, conducted by the author on the 4 February 2014.

5.1 Background to the PTA 2005

The Law Lords' verdict on *A and Others v Secretary of State for the Home Department* [2004] also coincided with Charles Clarke's first day at the Home

Office.⁶³ Reflecting on the Law Lords ruling, Clarke felt that it was necessary to honour their judgement rather than to challenge it further. As Clarke contends:

I thought it was my role as Home Secretary not to criticise judges' decisions or for that matter chief constables' decisions. I don't think the Home Secretary should provide roving commentary on the decisions that are taken to prosecute, to not prosecute, whatever, in individual cases. I think it is the role of the Home Secretary to supervise the whole system.

(Interview with author, 4 February 2014)

The difficulty was deciding which measures would be the most effective in light of the Belmarsh ruling, with Clarke eventually opting for control orders.⁶⁴

Although a controversial approach, Clarke conceded that any policy choice would have been contentious. On matters of national security, Clarke accepted that his role as Home Secretary would inevitably involve 'perpetually dealing with the tensions between civil liberties and security' (Ibid.). Defending the government's decision to give 'more emphasis to the security threats' (Ibid.), like his predecessor, Clarke also paid considerable attention to public sentiment, which he believed was largely supportive of the government's overall mission.⁶⁵ Clarke found that, despite his constituents being amongst the most liberal in the country, they were broadly accepting of the realpolitik of the security threat, claiming that 'even people who were more sharply critical of what we were doing accepted that

⁶³ Clarke had replaced Blunkett who had resigned a day earlier over allegations that he had abused his ministerial position by fast tracking a visa application for his paramour's nanny.

⁶⁴ Clarke said that prior to his arrival at the Home Office several options had already been considered by civil servants and their legal advisors in the event that the Law Lords ruled against the Home Secretary, with one of these options being control orders (Interview with author, 4 February 2014).

⁶⁵ Clarke also drew inferences from the polling data during his time at the Home Office to substantiate his claims (Ibid.).

we were doing it for reasons which they could understand and could relate to’ (Ibid.). The sentiments of the press, on the other hand, elicited a very different response from Clarke.

As discussed elsewhere in this thesis, Clarke had a ‘very low opinion’ of the press, especially in terms of the pervasive ‘snideness, cynicism, and despair of the broadsheets’, which he regarded as ‘really terrible’ (Ibid.). Clarke also despaired at the number of stories that appeared about him that were ‘untrue’.⁶⁶ Having shepherded two of the five pieces of anti-terrorism legislation enacted under New Labour through parliament, Clarke recalled his frustration with the ‘dishonesty in some parts of the press around the civil liberties agenda’ during his tenure.

The cynicism of the tabloid press in this case was terrible because you had people like the *Daily Mail*, on the one hand, very strongly pro-security; and on the other hand, very strongly pro-civil liberties. And you just think that just shows the type of people they are. The *Sun* less so actually, it was not so bold on the civil liberties front. But the *Guardian*, they really were not prepared to look at the fact that there was a security issue, their general view was almost “security issues are invented, they are not really questions.” I think it is very frustrating, but the constant process of trying to square the circle of those relations, that is what the policy making process is.

(Ibid.)

⁶⁶ During the phone hacking trial of Andy Coulson and Rebekah Brooks, Clarke gave evidence in relation to the hacking of his aide’s phone, which centred on the threat he received from Brooks about a story the *Sun* was intending to publish. The *Sun* alleged that Clarke was having an illicit relationship with his aide, which Clarke denied. The story was never published.

Thus, for Clarke, the relationship between the government and the press during this period was a dichotomous one. On one level, the government was sorely aware of the importance of the press in terms of communicating its policies to the public, but on another level, there was a general discontentment toward the journalistic class. As Clarke lamented:

The problem is we only talk to the public through the media, so we do not have a means of direct communication. So, we have to try to get our case across to the media as effectively as we can and that is obviously what we try to do. It is all under pressure.

(Ibid.)

The analyses presented in this chapter suggest that there was considerable scepticism amongst the press toward the government's general approach to national security during the passage of the PTA 2005. For the press this was a justified stance, but to Clarke and many of his colleagues, the tone of the reporting was politically motivated and 'par for the course' (Ibid.). Responding to the charge that the terrorism threat was overstated, the government and various state agencies have pointed to a number of terrorism related episodes that in their view gave weight to their claims. Indeed, after 9/11 (and prior to 7/7) several terrorist plots against targets in the UK were exposed, including the Ricin plot and the surface-to-air-missile threat to Heathrow Airport in 2003, and the Old Trafford bomb plot in 2004.⁶⁷ There were also a number of international terrorism

⁶⁷ Blunkett recalled a 'deep scepticism' amongst the broadcast media about whether the Heathrow threat was real, with some journalists suggesting that it was a government invention to keep the 'hype up so that security measures would be tolerated by the population' (Interview with author, 21 March 2014). Dismissed as 'nonsense' by Blunkett, he claimed that the media were actually

incidents where UK interests were targeted, including the bombing of the British consulate in Turkey in 2003. Additionally, there were cases of British citizens attempting to commit terrorist acts abroad, such as the ‘shoe bomber’, Richard Reid, who in 2001 boarded an American Airlines flight from Paris to Miami with explosives concealed in his shoe.

By 2005, the police had become much more publically involved in the government-led anti-terrorism legislation drives than they had been previously, with high-ranking police officers using the media to express support for the terrorism Bill. Sir John Stevens, the former head of the Met, along with his successor Sir Ian Blair, gave credence to the anti-terrorism measures by maintaining that there were ‘several hundred’ individuals in the UK plotting terrorist attacks against the mainland.⁶⁸ Like the police, Downing Street had also moved from the periphery to the centre in terms of the press focus. Politically too, the prime minister was much more visible during the passage of the 2005 Act than in previous anti-terrorism legislative campaigns.⁶⁹ Whilst debate raged in parliament, Blair echoed the concerns of the police and the security services in his direct appeal to the public via *Woman’s Hour*, by stating:

What they say is that you have got to give us powers in between mere surveillance of these people. There are several hundred of them in this

stoking public fears by showing armoured vehicles outside the main entrance to Heathrow. Trying to calm the situation, he appealed to the police and security services to be more discrete in their operations.

⁶⁸ Writing in the *News of the World* on 6 March 2005, Sir John Stevens claimed that the number of ‘Osama Bin Laden-trained terrorists walking Britain’s streets [was] probably nearer 200’ (Stevens, 2005). Speaking on the BBC’s *Breakfast with Frost* programme, Sir Ian Blair confirmed that the police believed that ‘several hundred, al-Qaeda affiliates’ were operating in the UK (BBC Breakfast with Frost, 2005).

⁶⁹ Tony Blair’s role in the passage of the legislation will be discussed further in the next chapter.

country who we believe are engaged in plotting or trying to commit terrorist acts. You have got to give us power in between just surveying them and being sure enough to prosecute them beyond reasonable doubt. There are people out there who are determined to destroy our way of life and there is no point in us being naive about it.

(BBC Woman's Hour, 28 February 2005)

Hewitt raises an interesting point in relation to Blair's statement, arguing that: 'Implicit in his message was the idea that in a democratic country the police and the security services were determining government policy when it came to anti-terrorism measures' (Hewitt, 2008: 47). A view that was also held by some sections of the press, with the *Mirror* being especially vocal on the issue.

Officially, the purpose of the PTA 2005 was 'to provide for the making of "control orders" imposing obligations on individuals suspected of being involved in terrorism-related activity. These are preventative orders which are designed to restrict or prevent the further involvement by individuals in such activity.'⁷⁰ At the behest of the government, control orders could be imposed on both foreign and British individuals suspected of terrorism related activity at an international or domestic level, thereby addressing the Law Lords' judgement that Part 4 of the ATCSA 2001 was discriminatory. Based on an 'anticipatory risk', the measure was wholly 'intelligence-led' with the 'mechanism for trigger [being] executive-based' (Walker, 2009: 214). Restrictions allowed under the orders included house

⁷⁰ Extract taken from the 'Explanatory Notes' to the PTA 2005. Online. Available HTTP: <<http://www.legislation.gov.uk/ukpga/2005/2/notes/contents>> (accessed 22 March 2014)

arrest or curfews, electronic tagging, having to report daily to the police, as well as constraints on the use of communications technologies. Furthermore, the orders could dictate where a suspect lived and worked, as well as whom they could contact. Failure to comply with the restrictions could result in a prison sentence of up to five years.

The legislation created two types of control order. Control orders that did not require derogation from Article 5 of the ECHR were defined as non-derogating orders, and could be issued by the Home Secretary. Whilst derogating control orders were orders that derogated from human rights obligations (e.g. house arrest) and consequently needed to be applied by the High Court.⁷¹ Valid for an initial period of 12 months, non-derogating control orders were subject to annual renewal, whilst derogating control orders were subject to renewal every six months. However, critics argued that in actuality control orders could be imposed indefinitely on the say-so of the government. Indeed, the avenues for controlees to challenge the Home Secretary's decision were circumscribed, not least because any appeal was subject to a hearing in a closed court with suspects having limited access to the evidence held against them. More generally, critics have argued that the PTA 2005 established a scheme that functioned 'on a low standard of proof' which, as seen during the Northern Ireland troubles, could lead to 'miscarriages of justice' (Fenwick, 2007: 1439). Viewed through the prism of human rights, on the surface, control orders could be considered as 'less of an infringement on human rights' than the provision it replaced, nonetheless they did place 'very real

⁷¹ It should be noted that derogating control orders required derogation under Article 15 of the ECHR.

constraints over an individual's freedom of movement, association and general involvement in the life of society' (Stone, 2012: 457).

Consequently, there was severe resistance to the Bill from the Conservatives, the Liberal Democrats, Labour backbenchers, and peers from all political persuasions, as well as from civil liberties campaigners. The main criticisms were the lack of time for parliamentary scrutiny and the limited safeguards for suspects. Detractors of the Bill also referred to the undermining of the ancient right of due process said to be enshrined in the Magna Carta as well as the apparent suspension of habeas corpus. Debating the introduction of the Bill in the Commons on 22 February 2005, the Shadow Home Secretary, David Davis, posed the following questions to his political adversary.

[W]hat is the immediate emergency that demands that draconian powers against British subjects be rushed through these Houses of Parliament without proper consideration, scrutiny or debate? What is the emergency that has arisen in the past 12 months that demands that, without proper debate, we give the Home Secretary the right to fetter the liberty of British subjects, from restricting their ability to communicate right up to and including house arrest?⁷²

Whilst the Liberal Democrat Mark Oaten argued that 'Proof should be "beyond reasonable doubt" when it comes to removing the liberties of people in this country.'⁷³ In its briefing for the second reading in the House of Lords, Liberty

⁷² HC Deb 22 February 2005, vol 431, cols 151-70

⁷³ Ibid.

rejected the Bill in its 'entirety', concluding that 'allowing a politician to place severe restrictions on the liberty of British citizens without proper process is unjustifiable', and described the appeal process as 'fundamentally flawed' (Liberty, 2005: 21). However, one of the mightiest blows for the government, especially for Blair personally, came from Lord Derry Irvine, the former Lord Chancellor and close friend of Blair, who joined the Labour rebels in voting against the government's proposals. Lord Irvine's defection from the Blair camp inevitably generated a flurry of headlines and political analysis in the press.

The contestability of control orders culminated in one of the longest sittings of the House of Lords in its history, with the government eventually having to concede to a sunset clause, whereby Parliament agreed to the control order provision on the condition that it was subjected to an annual review. Once on the statute book, Clarke wasted no time in signing control orders for ten of the soon to be released Belmarsh detainees.⁷⁴ However, whilst parliament might have been appeased, criticism of the control order scheme amongst the judiciary continued unabated. On 12 April 2006, the Administrative Court ruled that the review procedure for control orders was incompatible with Article 6 (right to a fair hearing) of the

⁷⁴ The radical cleric Abu Qatada was one of the ten Belmarsh detainees subject to a control order. After 9/11 until his eventual deportation in 2013, successive governments had battled to deport him to Jordan where he had been found guilty in absentia of terrorism offences. However, in 2008 the Court of Appeal ruled that since the evidence that convicted him was likely obtained under torture, the UK government would be in breach of its human rights obligations if it were to deport him (*Othman (Jordan) v Secretary of State for the Home Department* [2008] EWCA Civ 290). A mutual legal assistance treaty (MLA) between the two countries eventually led to his deportation (See Foreign & Commonwealth Office, *Treaty on Mutual Legal Assistance in Criminal Matters between the United Kingdom of Great Britain and Northern Ireland and the Hashemite Kingdom of Jordan* [Cm 8612, 2013]). His retrial the following year resulted in an acquittal (*Al-Khalidi*, 2014).

ECHR, a judgement that Clarke appealed.⁷⁵ The scheme received a further knock in June 2006, when the High Court ruled in favour of six controlees by declaring that control orders contravened Article 5 of the ECHR (right to liberty and security).⁷⁶ Despite Clarke's successor John Reid appealing the decision, on 1 August 2006, the Court of Appeal announced that it upheld the original ruling.⁷⁷

For Clarke, there was particular frustration with the closed lines of communication between the executive, legislature and the judiciary in relation to the control orders scheme. On the verdicts that the control orders were in breach of human rights obligations, Clarke insisted that the scheme was not politically motivated but based on the expert advice received from his legal team. Clarke asserted that whilst the government was operating 'within the constraints of the ECHR on the basis of this legal advice...the Supreme Court said that that won't do' (Interview with author, 4 February 2014). Therein lay the frustration for Clarke, who believed that the judges did 'have an obligation to say what would do' (Ibid.).⁷⁸ Instead, the judiciary told Clarke that the matter rested with the executive and to come back to them again with a new proposal, a process that went 'on for literally years' with 'nobody knowing where they stood' (Ibid.).

⁷⁵ MB, Re [2006] EWHC 1000 (Admin).

⁷⁶ Secretary of State for the Home Department v JJ & Ors [2006] EWHC 1623 (Admin).

⁷⁷ Secretary of State for the Home Department v MB [2006] EWCA Civ 1140.

⁷⁸ However, Clarke pointed out that he respected the judges' right to make a particular ruling, rather he took issue with the lack of dialogue between the executive and the judiciary on the drafting of alternative measures (Interview with author, 4 February 2014).

5.2 Press Attention

This section presents the results of the quantitative part of the news content study. For ease of reference, Table 5.1 illustrates the progression of the PTA 2005 with the corresponding newspaper sample dates, and spans the period between 22 February 2005 (the day the Bill was first introduced) and 12 March 2005 (the day after the Bill gained the Royal Assent).

Table 5.1 Progression of the PTA 2005 with corresponding newspaper sample dates (22 February 2005 – 11 March 2005)

PROGRESSION OF ACT	NEWSPAPER SAMPLE DATES
<i>HC first reading:</i> 22 February 2005	23 February 2005
<i>HC second reading:</i> 23 February 2005	24 February 2005
<i>HC committee stage:</i> 28 February 2005	1 March 2005
<i>HC third reading:</i> 28 February 2005	
<i>HL first reading:</i> 1 March 2005	2 March 2005
<i>HL second reading:</i> 1 March 2005	
<i>HL committee stage:</i>	
3 March 2005	4 March 2005
7 March 2005	8 March 2005
<i>HL report stage:</i> 8 March 2005	9 March 2005
<i>HL third reading:</i> 8 March 2005	
<i>HC consideration of Lords amendments:</i>	
9 March 2005	10 March 2005
10 March 2005	11 March 2005
<i>HL consideration of Commons amendments:</i>	
10 March 2005	
<i>Royal assent:</i> 11 March 2005	12 March 2005
	TOTAL: 10 days

As with the ATCSA 2001, the broadsheets devoted significantly more coverage to the PTA 2005 than did the tabloids. There was little difference between the broadsheets in terms of output, with the *Daily Telegraph* devoting 34,644 words (52 articles) to the debates surrounding the passage of the Bill, the *Guardian* 32,747 words (49 articles) and the *Times* 30,016 words (52 articles). Out of the tabloids, the *Daily Mail* devoted 18,730 words (30 articles) to the debates, significantly more than the *Mirror* and the *Sun*, who devoted 7,886 words (26 articles) and 4,270 words (17 articles) respectively. However, when comparing the number of articles produced by each tabloid, the gap between the *Daily Mail* and the *Mirror* closes significantly, with the latter publishing just four fewer articles than its blacktop rival. Figure 5.1 provides an illustrative representation of the number of words each newspaper devoted to the debates, and Table 5.2 shows the number of words and total number of articles per newspaper.

Figure 5.1 Words devoted to the PTA 2005 by newspaper

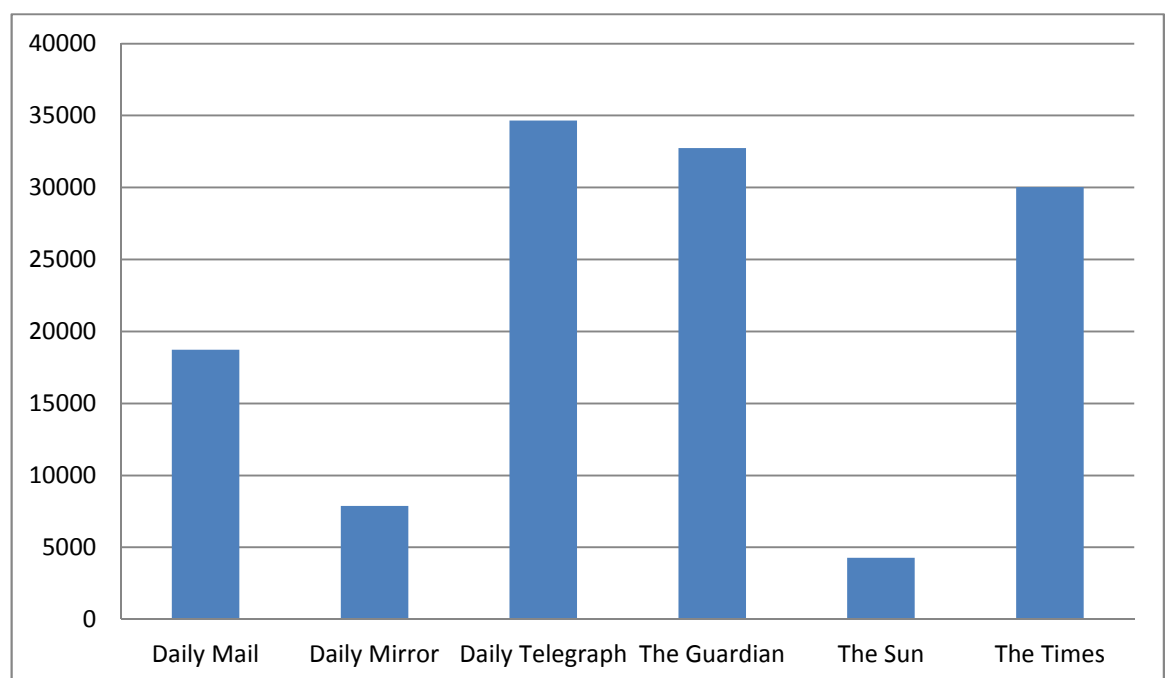


Table 5.2 Total number of words and articles devoted to the PTA 2005 per newspaper

Newspapers	Total Words	N Articles
<i>Daily Mail</i>	18,730	30
<i>Daily Mirror</i>	7,886	26
<i>Daily Telegraph</i>	34,644	52
<i>The Guardian</i>	32,747	49
<i>The Sun</i>	4,270	17
<i>The Times</i>	30,016	52
Total	128,293	226

Figure 5.2 shows a timeline of the number of articles that appeared in each newspaper over the duration of the passage of the bill. In terms of which issues garnered the most attention, media interest peaked on 23 February 2005 (30 articles), 11 March 2005 (31 articles) and 12 March 2005 (35 articles). These dates corresponded respectively with the bill's introduction into the Commons on 22 February 2005, the Commons consideration of the Lords amendments on 10 March 2005, and the subsequent Lords consideration of the Commons amendments on 11 March 2005. On 23 February 2005, the *Daily Telegraph's* front page headline declared 'Clarke uses terror threat to justify ending 800 years of legal history', whilst the *Guardian's* front page coverage focused on Clarke's retreat on house arrest. The *Times* outlined the main measures, whilst the *Daily Mail* declared that the Bill was an 'assault on civil liberties' (p. 6). Focusing on the release of the ten terrorist suspects, the *Sun* uses the introduction of the Bill to take a swipe at the ECHR by proclaiming that Clarke 'has no power to keep ten Arabs locked up in Belmarsh prison – thanks to the European Convention on Human Rights' (p. 2). Aligning the new 'Bodgy Dossier' [sic] with the Iraq

WMD dossier, the *Mirror* accuses the government of ‘rehashing’ the ‘terror threat’ discourse ‘to back new law’ (p. 18). The focus across the newspapers on the 11 March and 12 March 2005 was on the political ping-pong between the two houses, as well as the historic length of the Lords sitting.

Figure 5.2 *Number of articles appearing in all newspapers over the sample period (22 February 2005 – 11 March 2005)*

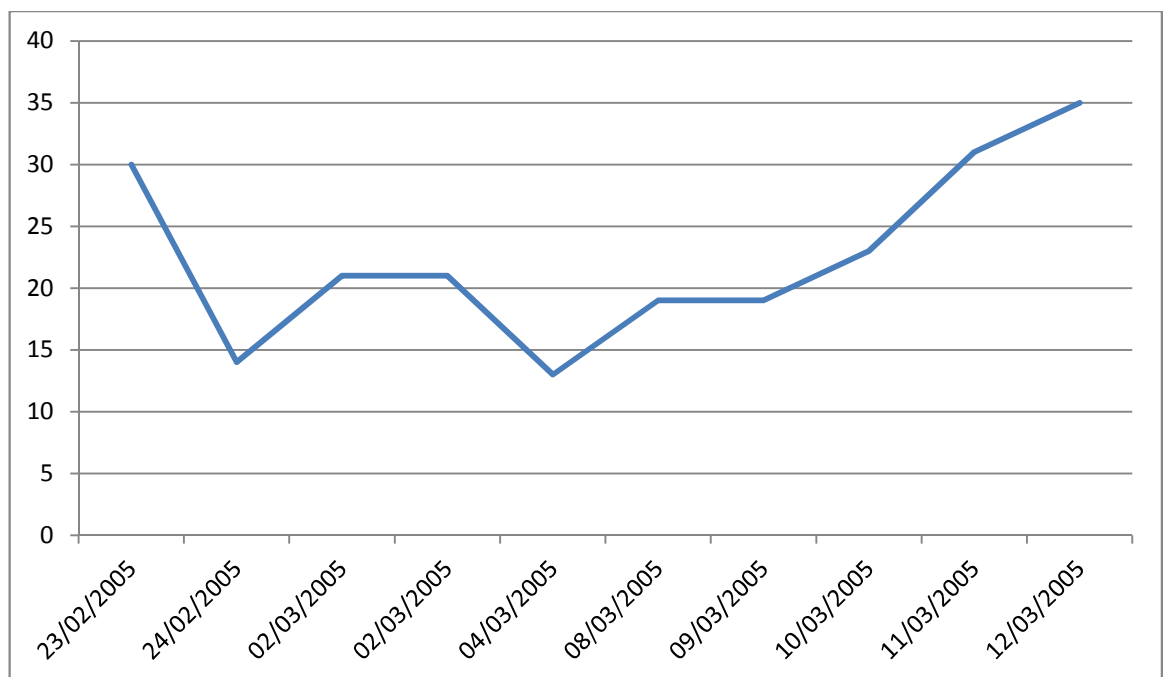


Table 5.3 shows the story location of news items by newspaper. In terms of story location, all of the newspapers except the *Mirror* included front page coverage of the policy debates. The *Daily Telegraph* devoted front page coverage nine days out of a total of ten, with the *Guardian* and the *Times* both providing eight days of front page coverage. Of the tabloids, the *Daily Mail* devoted two days and the *Sun* one day of front page coverage. Whilst it is evident that the broadsheets found the policy debates to be highly newsworthy, the *Daily Mail* and the *Sun* only devoted

front page coverage on the 11 March 2005, and in the case of the *Daily Mail*, again on 12 March 2005.

In contrast to the coverage of the ATCSA 2001, all of the newspapers devoted a higher number of editorials to the debates. The *Guardian* included six editorials, closely followed by the *Daily Telegraph*, the *Sun* and the *Times* with five editorials, and the *Daily Mail* and the *Mirror* with four apiece. As a proportion of their total output, the *Sun* produced the highest number of editorials, which comprised nearly a third of their total articles.

Table 5.3 Story location by newspaper (PTA 2005)

Newspaper	Front Page	Inside Pages	Feature	Editorial	Total
<i>Daily Mail</i>	2	23	1	4	30
<i>Daily Mirror</i>	-	19	3	4	26
<i>Daily Telegraph</i>	9	29	9	5	52
<i>The Guardian</i>	8	30	5	6	49
<i>The Sun</i>	1	11	-	5	17
<i>The Times</i>	8	35	4	5	52
Total	28	147	22	29	226

Table 5.4 shows the format of the news items. Compared with the 2001 case study, the hard news format did not dominate the coverage to quite the same extent. Across the newspaper spectrum, the hard news format constituted just under half of all articles, with features making up a quarter of the total output, followed by an even distribution of background pieces and editorials. This suggests that not only were the debates surrounding the passage of the PTA 2005 deemed highly newsworthy, but that the press felt it necessary to interject their

own opinion via the editorial pages as well as to provide considerable space for opinion pieces.

Table 5.4 Article format (PTA 2005)

Newspaper	Hard News	Background	Editorial	Feature	Total
<i>Daily Mail</i>	14	3	4	9	30
<i>Daily Mirror</i>	13	2	4	7	26
<i>Daily Telegraph</i>	22	7	5	18	52
<i>The Guardian</i>	23	8	6	12	49
<i>The Sun</i>	10	1	5	1	17
<i>The Times</i>	28	6	5	13	52
Total	110	27	29	60	226

Table 5.5 shows the type of author. Staff writers and regular columnists wrote the majority of articles. Of the three titles that included pieces by guest opinion writers, the *Daily Mail* included an article by the barrister and writer, John Mortimer, the *Guardian* an article by the human rights lawyer Gareth Peirce, whilst the *Daily Telegraph* contained one commentary piece from Tony Blair.

Table 5.5 Type of Author (PTA 2005)

Newspaper	Staff News	Regular Opinion	Guest Opinion	Editorial	Not Stated	Total
<i>Daily Mail</i>	12	8	1	4	5	30
<i>Daily Mirror</i>	11	7	-	4	4	26
<i>Daily Telegraph</i>	28	17	1	5	1	52
<i>The Guardian</i>	29	11	1	6	2	49
<i>The Sun</i>	9	-	-	5	3	17
<i>The Times</i>	21	13	-	5	13	52
Total	110	56	3	29	28	226

Table 5.6 shows the number and type of visuals that appeared in each newspaper. Charles Clarke appeared the most with nineteen appearances, followed by political cartoons with fifteen appearances. There were thirteen photographs of terrorists or terror suspects, most of which depicted the radical cleric Abu Qatada, who was set to be subject to a control order after his release from Belmarsh prison. The nine images of the police were mainly in the context of the police announcement that several hundred terrorists were at large. A noticeable change from the coverage of the 2001 Act was the appearance of Blair, as noted elsewhere this could be explained by his increasing public involvement in the anti-terror law debates.

Table 5.6 Number and type of visuals per newspaper (PTA 2005)

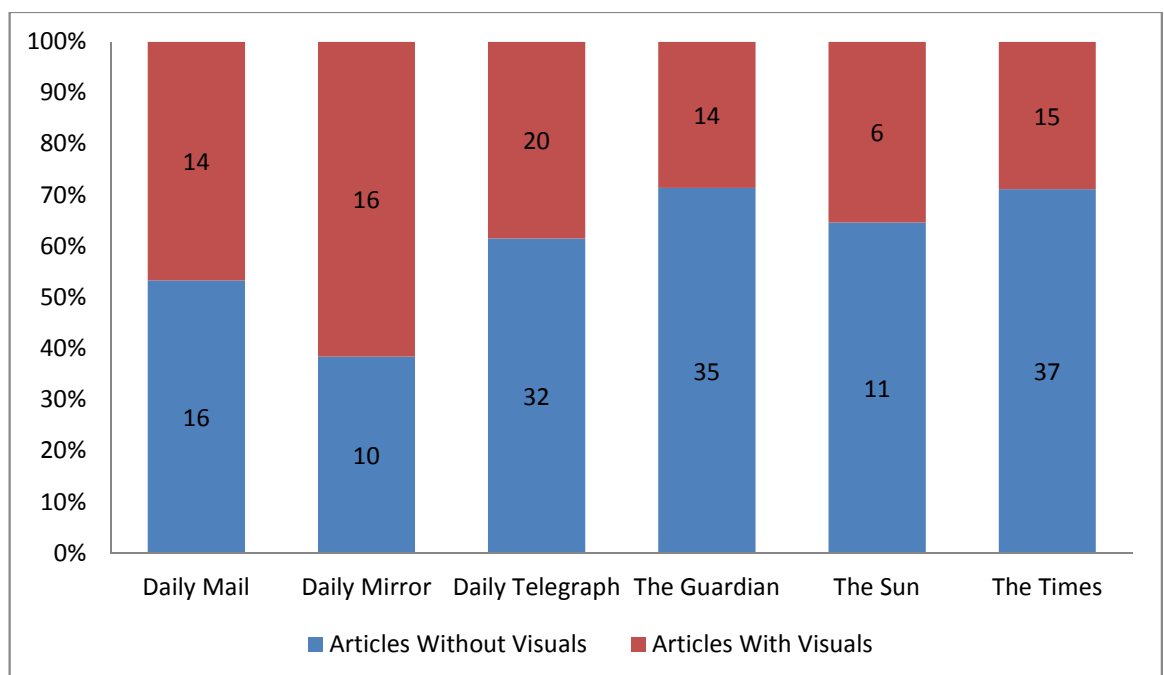
	DT	Times	Guard	Mail	Sun	Mir	Total
Visual Type							
Blair	3	1	-	1	-	2	7
Clarke	3	3	3	3	2	5	19
Clarke/Blair	-	-	1	-	-	2	3
Blair/Howard	1	-	-	-	1	-	2
Blair/Irvine	2	-	-	-	-	1	3
Lord Irvine	-	1	1	3	-	-	5
Con MPs	1	-	-	-	-	2	3
Lab MPs	-	-	-	1	-	-	1
Lab Opp MPs	2	-	-	-	-	-	2
Peers	1	1	-	1	-	-	3
Police	1	3	3	-	1	1	9
DPP	-	-	-	1	-	-	1
Judges	-	-	-	-	-	1	1
Campaigners/ protestors	1	2	-	-	-	1	4
Terrorists or suspects	2	-	2	4	3	2	13
Cartoon	7	2	4	1	-	1	15
Graphic	-	1	1	-	-	-	2
Stock Image	2	2	-	-	-	-	4
Total	26	16	15	15	7	18	97

NB. Stock images include an image of the aftermath of 9/11, a non-descript prison cell, hands in handcuffs and an interior image of the House of Commons.

Figure 5.3 shows the percentage of articles that contained images.

Proportionately, the articles published by the *Mirror* included the most accompanying images and the *Guardian* the least. Just under half of the *Daily Mail*'s articles included images, whilst a significant proportion of articles in the rest of the newspapers did not include accompanying images.

Figure 5.3 Percentage of articles with accompanying images (PTA 2005)



As with the ATCSA 2001, visuals were not generally used to reinforce the textual content or to bolster particular frames. Captions also tended to be descriptive rather than used as a means to anchor a particular sentiment expressed in the

accompanying article. The exception being the *Mirror*, which included a few captions that served to underpin the core message of the article. For example, under the banner ‘Bodgey Dossier’ [sic] and ‘Terror threat “rehash” to back new law’, was a photograph of Clarke stating his case in the Commons alongside snippets of the Iraq dossier on the supposed existence of WMD. The juxtaposition of the text to the images has obvious connotations to the faulty intelligence on Saddam Hussain’s weapons programme. In terms of depictions of political personalities, as with the 2001 case study, the newspapers tended to use generic photographs of both Clarke and Blair.

5.3 The Primary Definers of the News Agenda

Unsurprisingly, elite sources dominated the parameters of debate, with government sources (Downing Street, the Home Office and Labour MPs) appearing 213 times (302 paragraphs), constituting 39 percent of all actor appearances, and a 42 percent share of all paragraphs devoted to source citations. The second most represented actor or body was the Conservative Party, appearing 108 times (137 paragraphs), which accounted for 20 percent of all source appearances and a 19 percent share of all paragraphs devoted to source citations. As with the 2001 case study, the civil liberties and Muslim contingents were markedly underrepresented. The *Guardian* and the *Mirror*, both deemed more sympathetic to civil liberty issues, provided the most space to civil liberty campaigners with three appearances apiece. Only the *Daily Telegraph* and the *Guardian* included citations from Muslim campaigners. Table 5.7 shows the frequency of appearance and total paragraphs devoted to all source citations.

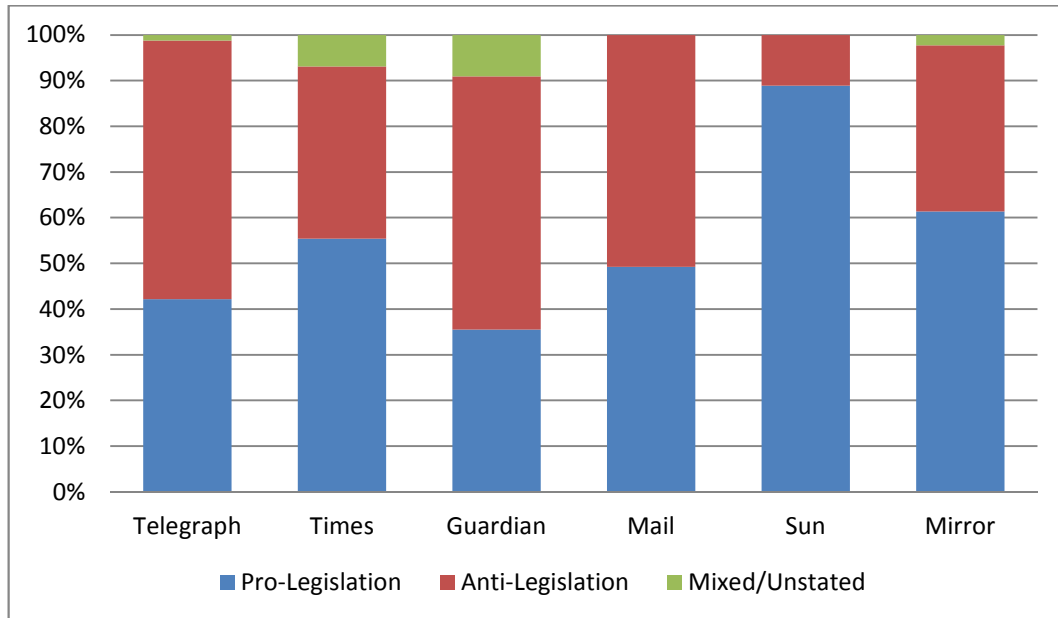
Table 5.7 Frequency of appearance and total paragraphs devoted to direct and indirect source citations (PTA 2005)

Source	DT <i>n</i> (Pars)	Times <i>n</i> (Pars)	Guard <i>n</i> (Pars)	Mail <i>n</i> (Pars)	Sun <i>n</i> (Pars)	Mir <i>n</i> (Pars)	Total <i>n</i> (Pars)
Civil Lib	1 (1)	1 (1)	3 (4)	-	-	3 (3)	8 (9)
Con Party	32 (34)	21 (26)	26 (33)	19 (31)	3 (4)	7 (9)	108 (137)
Con Peers	9 (9)	7 (8)	3 (3)	8 (13)	-	-	28 (34)
Downing St.	29 (35)	23 (25)	13 (19)	10 (15)	9 (13)	12 (26)	95 (132)
Home Office	21 (33)	33 (38)	15 (30)	12 (19)	9 (12)	8 (14)	98 (146)
All Lords	-	-	-	1 (3)	-	-	1 (4)
Lab Party	3 (5)	8 (9)	7 (8)	2 (3)	-	-	20 (24)
Lab Peers	12 (12)	11 (14)	10 (12)	2 (3)	-	1 (1)	36 (42)
Lab Rebels	15 (19)	2 (2)	10 (11)	8 (8)	-	3 (3)	38 (43)
Law Lords	3 (3)	2 (2)	-	-	-	-	5 (5)
LD Party	7 (7)	7 (8)	10 (14)	2 (2)	-	3 (3)	29 (34)
LD Peers	4 (5)	3 (4)	7 (7)	1 (1)	-	-	15 (17)
Muslim	4 (8)	-	2 (4)	-	-	-	6 (12)
All Opp	2 (3)	2 (2)	-	-	-	-	4 (5)
Other Peers	11 (15)	4 (4)	8 (11)	1 (1)	-	-	24 (31)
Police	6 (9)	3 (4)	3 (3)	1 (1)	5 (6)	6 (9)	24 (32)
Security	-	2 (3)	4 (4)	-	1 (1)	-	7 (8)
SIAC	-	1 (1)	-	-	-	1 (1)	2 (2)
Total	159 (198)	130 (151)	121 (163)	67 (100)	27 (36)	44 (69)	548 (717)

Figure 5.4 shows the proportion of pro-legislation, anti-legislation and mixed/unstated sources included in each newspaper, based on frequency of appearance (a full breakdown of the sources and their positions on the legislation can be found in Appendix 8). Across all of the newspapers, pro-legislation sources accounted for 49 percent of the total share, anti-legislation 47 percent and mixed/unstated sources 4 percent. As with the previous case study, the *Daily Telegraph* included quotes from a higher proportion of anti-legislation sources (57 percent) compared with 42 percent for pro-legislation and one percent for mixed/unstated sources. The *Times* devoted the most space to pro-legislation sources (55 percent), followed by anti-legislation sources (23 percent), with mixed/unstated sources constituting just seven percent of the share.

Proportionally, the *Guardian* included the least pro-legislation sources (36 percent), with 55 percent of space devoted to anti-legislation sources and nine percent to mixed/unstated source positions. Apart from the *Times*, the tabloids tended to devote more space to pro-legislation sources than did the broadsheets, with the *Daily Mail* providing an equivalent amount of space to pro- and anti-legislation sources, 49 percent and 51 percent respectively. Whilst pro-legislation sources in the *Sun* accounted for 89 percent of all sources, with just 11 percent devoted to anti-legislation sources. The *Mirror* also contained a higher proportion of pro-legislation sources (61 percent), with anti-legislation sources constituting 36 percent of the share, and mixed/unstated sources just two percent.

Figure 5.4 Source position on legislation as proportion of frequency of appearance (PTA 2005)



Across all the newspapers, Figure 5.5 shows that 77 percent of the reporter tone toward the sources cited was coded as straight, with 12 percent of all source citations coded as deflating and 11 percent as reinforcing of source assertions.

Figure 5.5 Reporter tone toward all sources across all newspapers as percentage (PTA 2005)

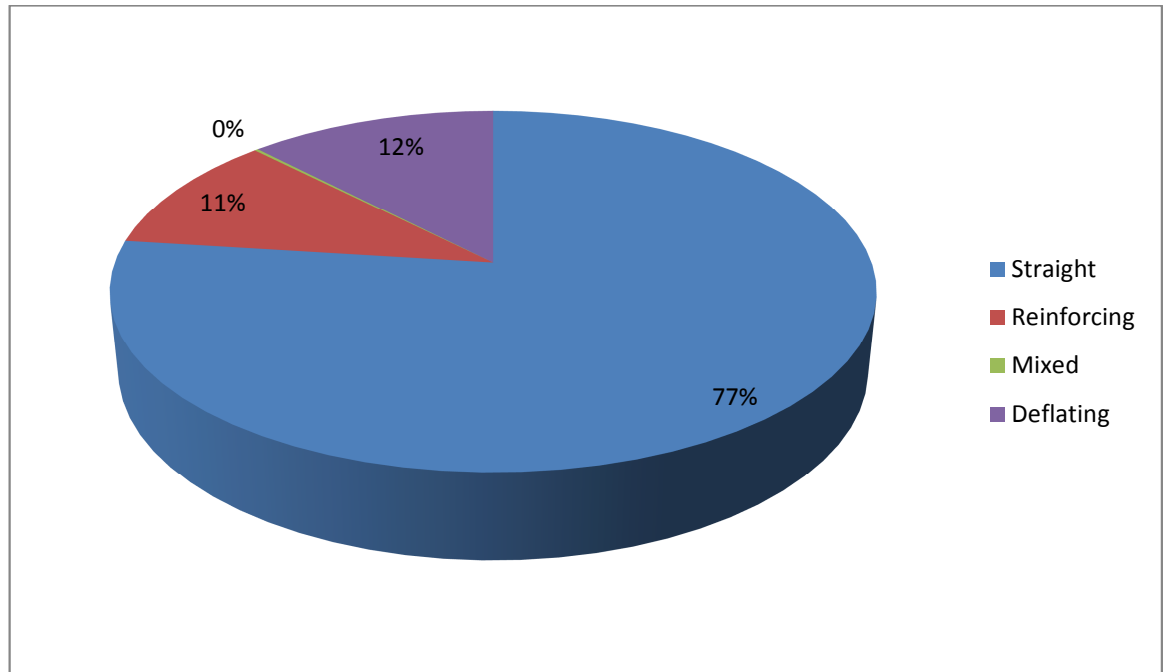


Table 5.8 illustrates the reporter tone toward the different source positions in each newspaper. Over three quarters of the articles contained a straight reporter tone toward the sources cited. However, when reporters did deviate from straight reporting, the majority of deflating comments were aimed at pro-legislation sources, whilst the most reinforcing comments were aimed at anti-legislation sources. When considering the newspapers individually, the *Sun* included the most reinforcing comments toward pro-legislation sources, with four directed at government sources, five toward the police and one toward the security services. The *Sun* was the only title that did not include any negative evaluative comments in relation to source assertions. Proportionately, the broadsheets provided most of the negative commentary toward pro-legislation sources, with the *Daily*

Telegraph, the *Times* and the *Guardian* including 18, 14 and seven deflating comments respectively. Most of these comments were directed at the government, with 15 occurrences in the *Daily Telegraph*, 11 in the *Times* and five in the *Guardian*. Out of the tabloids, the *Daily Mail* reserved all four of its deflating comments for the government, as did the *Mirror* with one comment.

Negative evaluative commentary aimed at anti-legislation sources only appeared in the three broadsheets, with the *Times* devoting 10 deflating comments, the *Guardian* eight, and the *Daily Telegraph*, five. The majority of the deflating remarks against anti-legislation sources were made against the House of Lords in the case of the *Daily Telegraph* and the *Guardian*, with the Conservative Party accruing half of all negative comments in the *Times*. Regarding reinforcing evaluative comments devoted to anti-legislation sources, these were most prevalent in the *Daily Telegraph* and the *Guardian*, with 23 and 12 reinforcing comments respectively. Anti-legislation sources who received the most attention in the *Daily Telegraph* included Conservative MPs and peers, as well as other peers who opposed the terrorism legislation. The *Guardian*, on the other hand, reserved most of its positive judgements for the Liberal Democrat Party.

Table 5.8 Reporter tone toward pro- and anti-legislation sources (PTA 2005)

	DT	Times	Guard	Mail	Sun	Mir	Total
Source Position							
Pro-Legislation	67	72	43	33	24	27	266
Straight	47	56	34	28	14	26	205
Reinforcing	2	2	1	1	10	-	16
Mixed	-	-	1	-	-	-	1
Deflating	18	14	7	4	-	1	44
Anti-Legislation	90	49	67	34	3	16	259
Straight	62	38	47	31	3	16	197
Reinforcing	23	1	12	3	-	-	39
Mixed	-	-	-	-	-	-	-
Deflating	5	10	8	-	-	-	23
Mixed/Unstated	2	9	11	-	-	1	23
Straight	1	8	10	-	-	1	20
Reinforcing	1	1	1	-	-	-	3
Mixed	-	-	-	-	-	-	-
Deflating	-	-	-	-	-	-	-

5.4 Media Framing of Policy Debates

In terms of which frames predominated at an aggregate level, a similar pattern to the framing of the ATCSA 2001 emerges. The politics frame was the most prevalent across the entire sample of newspapers, accounting for 31 percent of all articles, whilst 23 percent of the articles did not display any significant framing or reasoning devices relevant to a particular frame. Just 8 percent of all articles displayed exclusive elements of the security frame, 15 percent the civil liberties frame, with mixed frames constituting the remaining 23 percent of the articles. Figure 5.6 provides an illustrative representation of which frames predominated across the sample. When comparing the broadsheets and the tabloids, 6 percent of all articles in the broadsheets and 14 percent of all articles in the tabloids reflected

the security frame. However, when considering the tabloids at an individual level, this measurement reflected the high incidence of the frame in the *Sun*, with the *Mirror* containing just two instances and the *Daily Mail* none. With the exception of the Murdoch press, support for the civil liberties frame was greater than the security frame in both the broadsheets and the tabloids, where 13 percent of the broadsheets output framed the debates as a civil liberties issue compared with 19 percent of all articles in the tabloids. There was a heavy slant towards the politics frame in both the broadsheets and the tabloids, but not the other two tabloids, constituting 34 percent and 26 percent of their respective outputs. Both the broadsheets and the tabloids had a similar prevalence of frameless articles, comprising 24 percent and 21 percent correspondingly.

Figure 5.6 Predominant frames (%) across all newspapers, broadsheets and tabloids (PTA 2005)

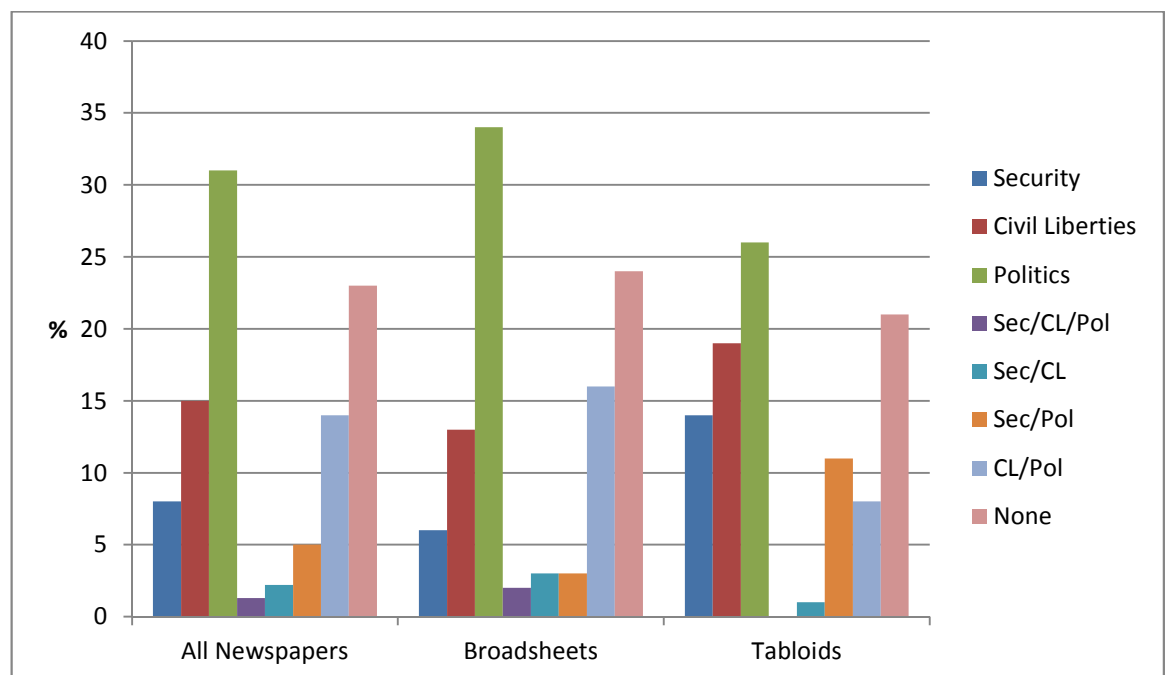


Table 5.9 shows the predominant frames per newspaper. The security frame was most prevalent in the *Times* and the *Sun* with five and eight articles respectively, whilst the *Daily Mail* was the only newspaper not to include any articles that exclusively reflected national security perspectives. The civil liberties frame was particularly prevalent in the *Daily Telegraph*, the *Guardian* and the *Mirror*, and was the most represented frame in the latter title, whilst the *Sun* was the only newspaper not to include an article with an exclusive civil liberties frame. As previously mentioned, the politics frame predominated in all three broadsheets and the *Daily Mail*.

Table 5.9 Predominant frames per newspaper (PTA 2005)

Frames	DT	Times	Guard	Mail	Sun	Mir	Total
Security	2	5	2	-	8	2	19
Civil Liberties	11	2	7	5	-	9	34
Politics	16	19	17	14	1	4	71
Sec/CL/Pol	1	1	1	-	-	-	3
Sec/CL	2	-	2	-	-	1	5
Sec/Pol	1	3	-	-	3	5	12
CL/Pol	10	6	9	4	-	2	31
None	9	16	11	7	5	3	51
Total	52	52	49	30	17	26	226

Figure 5.7 presents the quotient of frames per newspaper. Only four percent of the *Daily Telegraph's* coverage reflected the security frame, 21 percent the civil liberties frame (the highest proportion of all the newspapers), 27 percent mixed frames and 31 percent the politics frame. In the *Times*, 10 percent of articles reflected the security frame, just four percent the civil liberties frame and 37 percent the politics frame, with 19 percent of articles coded as reflecting mixed

perspectives. The *Guardian* devoted most of its space to the politics frame, with 35 percent of all articles reflecting this frame, and 14 percent reflecting the civil liberties frame. Just under half of all articles in the *Daily Mail* reflected the politics frame, with 17 percent devoted to civil liberty perspectives. Forty-seven percent of the articles in the *Sun* reflected the security frame, whilst the civil liberties frame predominated in the *Mirror*, representing 35 percent of all articles.

Figure 5.7 Composition (%) of frames per newspaper (PTA 2005)

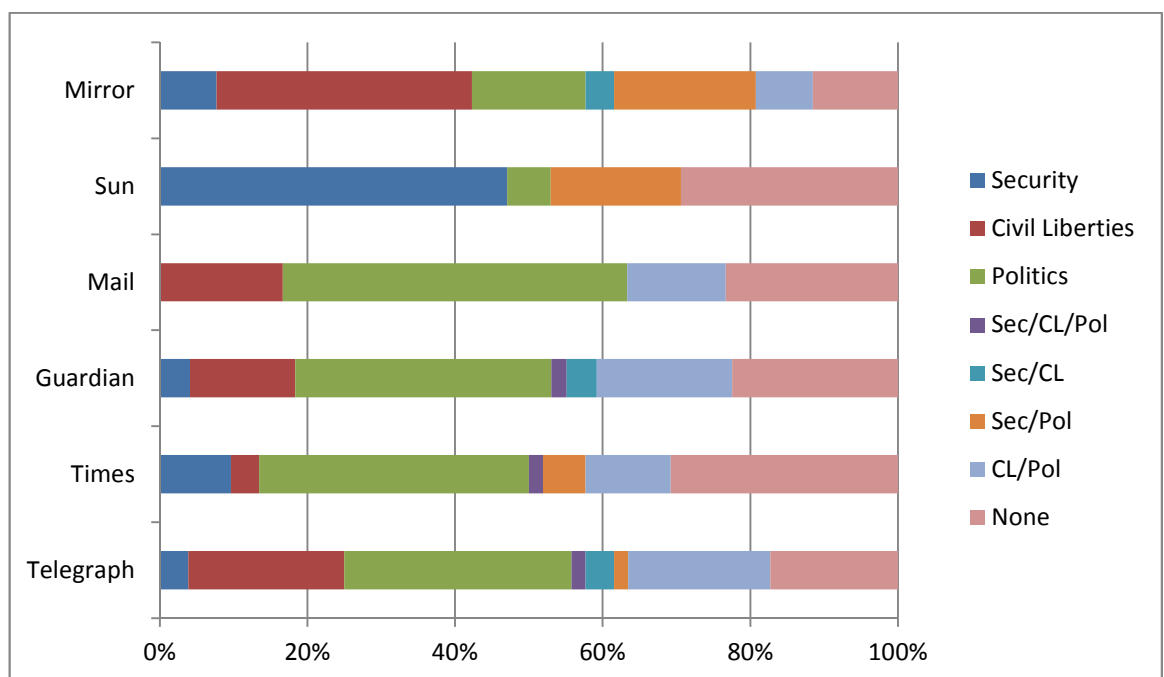
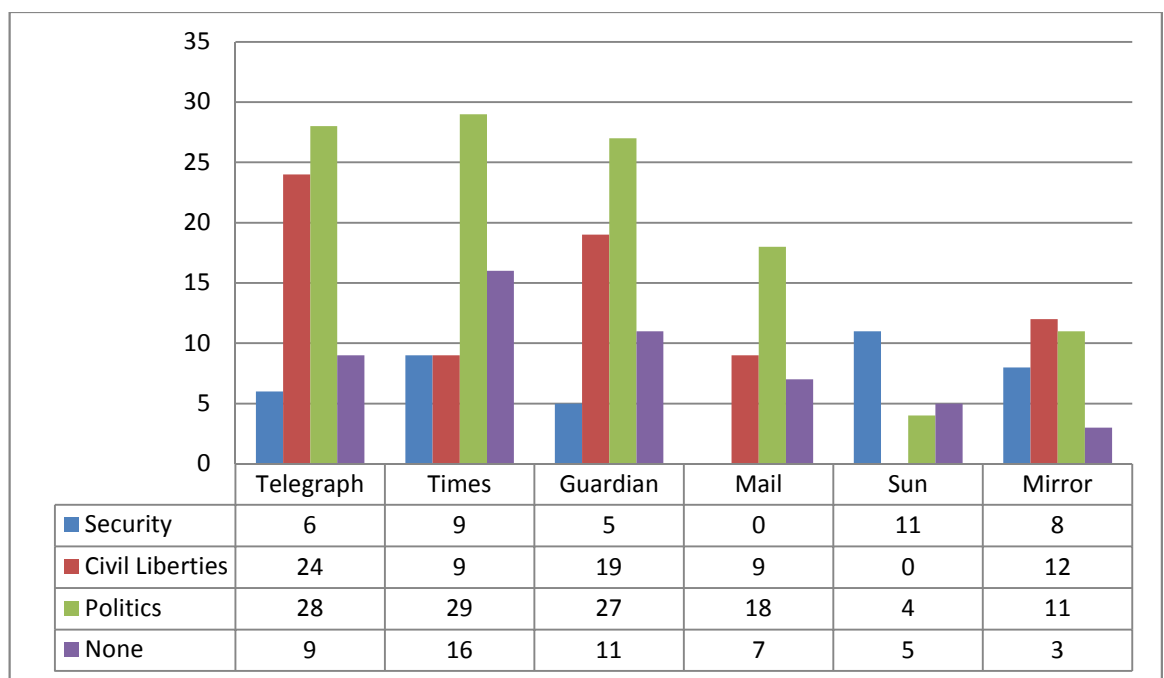


Figure 5.8 shows the predominate frames at an aggregate level. When the mixed frames are combined with the three meta frames (security, civil liberties and politics) the findings show that the politics frame was the most prevalent in the three broadsheets and the *Daily Mail*. With the exception of the *Daily Mail*, all of the newspapers included some aspects of the framing or reasoning devices of the security frame, with a higher incidence in the *Times*, the *Sun* and the *Mirror*. In

the case of the *Sun*, the security frame was the most prevalent across its entire output. Inversely, the civil liberties frame had the most appearances in the *Mirror*. The civil liberties frame was also heavily represented in the *Daily Telegraph* and the *Guardian*, and to a lesser extent in the *Times* and the *Mail*, whereas none of the articles in the *Sun* reflected civil liberties standpoints. At an aggregate level, the *Mirror* was the only title that had a more or less even distribution of frames, with the other newspapers showing a distinct bias toward or against a particular frame(s).

Figure 5.8 Predominate frames at an aggregate level (PTA 2005)



In terms of which themes or depictions were most heavily represented within the politics frame, as expected the political conflict between the government and the Lords was heavily represented. However, there was also much commentary on the government's evoking of the 'war on terror' motif to justify its draconian laws.

Negative references to the Human Rights Act or the ECHR were mainly prevalent in the *Sun* and the *Daily Mail*. Similarly, there was also substantial focus on the government's weak asylum and immigration policy in both newspapers. Another major theme was the lack of parliamentary scrutiny as a comment on the wider implications of New Labour's modernising project on parliamentary processes.

The most prevalent theme or depiction in relation to the civil liberties frame was the lack of parliamentary scrutiny in the context of the legislation itself. In addition, the 'excessive state powers' theme was widely represented, as was the extent to which the legislation would compromise civil liberties in general, with much focus on the threat to ancient liberties. In the final couple of days of coverage, there was also a heavy focus on the Lords triumph in curtailing some of the more draconian measures proposed by the government.

In relation to the security frame, the majority of depictions related to the perceived threat level, with the government's proposals seen as a proportionate response to the threat level. There were also instances where the government's defeat in the Lords was seen as a negative development, with the Opposition defined as illogical and unpatriotic. All of these themes were most prevalent in the *Sun*.

5.5 Editorial and Commentary Standpoints

This section focuses on the explicit ideological direction of each newspaper, as expressed in the editorials and commentary pieces. As detailed above, there was a

high occurrence of editorials and commentary pieces across the entire newspaper sample.

Daily Telegraph: In its first editorial, the *Daily Telegraph* declared that the proposed legislation was a ‘hasty, illiberal act with unknown consequences’ (23 February 2005, p. 25). The overarching theme was that British citizens can be subject to house arrest ‘on the say-so of a politician’ rather than a court of law. The editorial also makes a point that the law could be discriminatory against ethnic minorities, it states: ‘An unspoken, unpleasant defence of the new law is that only certain kinds of British citizen would suffer its rigours. Those citizens would tend to be dusky, with unEnglish names’ (Ibid.). It goes on to say that this could lead to Muslims feeling like a ‘suspect people’, and end up being a ‘recruiting sergeant for political Islamist extremists, just as internment was for Irish republican extremists’ (Ibid.). Commentaries published on the same day focused on the relegation of the judiciary and the ever-encroaching power of the executive, with Andrew Gimson’s parliamentary sketch likening Clarke to a terrorist who is about to assemble a ‘crude, home-made bomb that he is going to detonate under the British judicial system’ (p. 6).

On 24 February 2005, both the editorials and feature articles focused on the ‘hasty’ passage of the bill and the government’s onslaught on the ‘cornerstones of our judicial system’ (particularly habeas corpus and the right to a fair trial), with its editorial arguing that the new laws are about to remove these ancient rights (p. 29). The editorial itself was a riposte to an opinion piece by Blair in which he

states that he is acting on advice from the security services ‘to protect the security of our nation’, arguing that ‘there is no greater civil liberty than to live free from terrorist attack’ (p. 28). This assertion is met with disdain from Boris Johnson, who states that habeas corpus is being ‘treated shabbily by New Labour’ (p. 28), with another commentary reminding its readers that Blair relied on comparable spurious reassurances about the WMD programme in Iraq (p. 12).

On 2 March 2005, the editorial focused on the haste in which the government was legislating, but also calls into question ‘Blair’s motives’, stating that ‘suspicion is rife that this Bill is intended, not so much to make the nation safer, as to make the opposition parties look soft on terror’ (p. 23). This argument was repeated in an editorial on 10 March 2005, in which the newspaper concurred with Michael Howard’s assertion that Blair’s refusal to compromise on the Bill was to make it appear that ‘Labour was tougher than the Tories on terror’ (p. 23). On 11 March 2005, the editorial announced that ‘Michael Howard is not being weak, or diluting the proposed legislation by attempting to amend it’ but rather ‘trying to strengthen this flimsy Bill’ (p. 27). It goes on to demand that if it is ‘true’ that the nation faces a ‘grave threat’ from terrorism, then the government needs to be more transparent in its motives and more forthcoming with the evidence (Ibid.).

The coverage on the final day of the debates focused on ‘How the old guard taught Blair a lesson’ (12 March 2005, p. 4), maintaining that, whilst the Commons was ineffective against the might of the New Labour government, the House of Lords ‘put up the strongest show of defiance’ (Ibid.).

The Times: In an editorial on 23 February 2005, the *Times* declared that, despite the Bill retaining some ‘rough edges’, it was generally supportive of the government’s aims. It goes on to dismiss accusations that the government was ‘inventing a danger to serve their own interests’, claiming that the critics are ignoring the ‘harsh reality’ that Al-Qaeda remains a credible threat (p. 17). However, it also approved the Conservatives position that ‘further judicial involvement in [the] process...is sensible’, arguing that Michael Howard was correct to have ‘genuine concerns about civil liberties’ (Ibid.).

In contrast, Simon Jenkins demanded that the Lords defend the Magna Carta, defining control orders as ‘proof positive of the corruption of power’ (23 February 2005, p. 19). Jenkins even goes so far as to compare the powers sought by Clarke as analogous to those employed by despots in Zimbabwe, Russia, Libya and Pakistan, where ‘all pleaded state security to justify executive justice’ (Ibid.). As with the *Daily Telegraph*, reference was made to the Iraq ‘weapons dossiers’ arguing that the government used scare tactics to invade Iraq when no threat existed (Ibid.). Jenkins goes on to attack the politics of New Labour, arguing that the ‘municipal Left’ had transformed into the ‘new authoritarians’ (Ibid.). In the event that the government should evoke the Parliament Act to marshal through its Bill, Jenkins final plea is reserved for the ‘old House of Lords’, in which he ‘cannot imagine a nobler baronial epitaph than to die fighting for the Great Charter against a dictatorial Crown’ (Ibid.). Jenkins reprised these themes in later commentary pieces.

A commentary piece and an editorial published on 1 March 2005 concentrated on the ‘farcical proceedings’ taking place in the Commons (p. 17). The editorial, in particular, declared that the ‘casual and arrogant dismissal of proper parliamentary process brought the Commons to near-chaos’, with the debates showing the ‘Government at its worst’ (Ibid.). Although the editorial did not voice concern about the civil liberty aspects of the Bill, acknowledging that the ‘danger of [a] terrorist attack is real and present’, it was disapproving of the ‘pre-election posturing of a supposedly tough government [which] has left it and democracy weakened’ (Ibid.). Peter Riddell echoes these themes in a piece on 4 March 2005, in which he argued that, whilst ‘civil liberties are not an absolute and have to be balanced against national security’, the government should agree that ‘immediate judicial involvement should extend to all control orders’ (p. 8). After its defeat in the Lords, the editorial on 9 March 2005 declared that the ‘government has only itself to blame’ for the ‘humiliating defeats’ on the basis that they should have made compromises at an earlier stage (p. 17).

Just one opinion piece focused exclusively on civil liberties perspectives (8 March 2005, p. 18), with the majority of editorials and commentary pieces concentrating on the ‘Carry On [at] Westminster’ and the epic battle between the government and the Lords (12 March 2005, p. 23).

The Guardian: On 23 February 2005, the *Guardian*’s editorial declared that the proposed legislation was ‘certainly a much improved measure compared with [previous] proposals’ (p. 25), but that the government needed to go further to

safeguard civil liberties. Its main appeals included greater ‘judicial scrutiny’ at the outset and sufficient time for parliamentary scrutiny of the Bill (Ibid.). In the case of the latter entreaty, on 2 March 2005, the *Guardian* expressed regret that, whilst ‘Clarke has tried to bring some overdue calm and civility to the discharge of his ministerial duties’, he had failed in his duty to allow sufficient time for ‘detailed consideration’ of the Bill in parliament (p. 27). The editorial goes on to criticise New Labour’s ‘abuse of executive power’ (Ibid.). This motif is repeated in several opinion pieces, which criticised the ever-increasing ‘might of the executive’, in which ‘a majority of the Commons...rolled over and allowed that to happen’ (9 March 2005, p. 21).

The human rights lawyer, Gareth Peirce, ‘spells out the dangers of control orders’ in her guest opinion piece published on 8 March 2005, in which she implored parliamentarians to oppose the measure on the grounds that ‘national security depends on every individual in this country having inalienable rights’ (p. 23). Whilst the *Guardian*’s security editor centred on the conjoint scaremongering tactics of the government and the police, especially criticising Sir John Stevens’ use of the *News of the World* as a conduit to report that ‘200 terrorists’ were ready to ‘commit atrocities in Britain’ (p. 23). Richard Norton-Taylor goes on to argue that ‘while ministers talk up the rhetoric, senior security and intelligence officials privately paint a more sober picture’ (Ibid.).

In light of Clarke’s negative view of the *Guardian*, a surprising aspect of the editorial coverage was its general support for Clarke as Home Secretary, even

when it was at odds with some of the measures he proposed. On 9 March 2005, the editorial praised Clarke for agreeing to compromise on certain issues, particularly in his acceptance that the judiciary should have an enhanced role in the control order process. It goes on to credit Clarke for ‘his handling of the bill throughout, [which] is marked by a reasoned approach’ (p. 23).

The editorials in the final couple of days of the debates focused on the parliamentary ping-pong between the two houses, declaring that it showed ‘parliament at its best’ (11 March 2005, p. 25). The *Guardian* also pointed out that the government’s large majority had enabled it to make ‘bad laws...without the traditional checks and balances’ (Ibid.). In its final editorial it commended the Opposition for its role in ensuring there would be ‘more judicial detention decisions and fewer political detentions’ (12 March 2005, p. 23). However, it also argued that ‘all sides [played] general election politics’ during the passage of the Bill (Ibid.).

The Daily Mail: In its first editorial, the *Daily Mail* declared that the ‘government proposes to tear up our treasured safeguards as part of the war on terror’ (23 February 2005, p. 14), before accusing the government of ‘playing politics’ ahead of the general election in an effort to ‘portray the Opposition as “soft” on terror’ (Ibid.). However, it reserves its most acerbic attack on New Labour’s ‘crass human rights’ laws, which are blamed for the current legal quagmire over what to do with the Belmarsh detainees (Ibid.). A theme that is repeated in an editorial published on 10 March 2005. Viewing the issue through the prism of asylum and

immigration, its editorial of 1 March 2005 declared that the ‘only way to deal with this threat is for Britain to regain control of her borders, deport those who intend us harm and arrest, charge and try those against whom proper case can be made’ (p. 14).

The assault on traditional liberties theme appeared throughout the *Daily Mail*’s coverage. In his guest opinion piece on 2 March 2005, the barrister and writer John Mortimer examined the ways in which New Labour had ‘shown itself as impatient and contemptuous of civil rights as it is of proceedings in Parliament’ (p. 14). However, its final editorial focused on Blair’s ‘humiliating climbdown’, at the hands of ‘their lordships’, before stating that Blair ‘blundered into a crisis of his own making’ because of his ‘barmy decision to incorporate the [ECHR] into British law’ (12 March 2005, p. 16).

The Sun: Overall, the *Sun* was supportive of the Bill and of the government in general. Echoing the language used by the government, an editorial on 23 February 2005, argued that ‘urgent action is vital’ to deal with the Belmarsh detainees. The *Sun*’s traditional stance against the EU and the ECHR was reserved for its final proclamation, that the government needed to take a tougher line and fight the Belmarsh ruling as control orders ‘will be no substitute for the security of a prison cell’ (p. 8). The editorial the following day attacked the ‘limp’ Liberal Democrat leader Charles Kennedy for his criticism of the Bill, before going on to argue that the government’s attempt to safeguard the country is ‘being thwarted by a European treaty on human rights’ (24 February 2005, p. 8). The *Sun*’s

irritation with human rights laws, along with Britain's weak asylum policy, was repeated in a commentary on 11 March 2005, where the political editor claimed that, 'Millions of people are baffled and bewildered that a law made in Brussels prevents our elected government from keeping ten dangerous terrorists locked up' (p. 2). The article goes on to argue that the 'ten...citizens from Arab countries [who] sought asylum under our soft laws only to abuse our hospitality by plotting murder' should be put 'on the next plane home' (Ibid.).

In the final two days of the bill's passage, the *Sun*'s editorials focused on the 'hot air in Westminster', which had left 'millions of [its] readers...baffled by the political infighting...when innocent lives seem to be put at stake by arguments over liberty and "rights"' (11 March 2005, p. 6). Reaffirming their 'full backing of the PM's war on terror', the *Sun* goes on to say that Britain should 'ignore the human rights laws...and keep terror suspects behind bars', and that even if they must be freed then they should be returned to their native countries (Ibid.). On 12 March 2005, the *Sun* asserted that both politicians and peers 'made intelligent debate on new terror laws impossible' (p. 6), arguing that whilst politicians 'prattle on about winners and losers', British citizens are left in doubt about the adequacy of the terrorism laws (Ibid.). The *Sun*'s final entreaty was for the government to push 'aside that part of the human rights law which gives terrorist freedom and renders the police powerless' (Ibid.).

The Mirror: Editorially, the *Mirror* was vehemently opposed to the legislation, arguing that it endangers civil liberties and delivers too much power to the state.

On 1 March 2005, the newspaper declared that the law would do little to safeguard the country, accusing the government of using the legislation to make them look 'tough' on terrorism (p. 10). On 10 March 2005, the government's approach to security was likened to a 'police state', in which the terrorism threat was evoked to justify its draconian laws. Consequently, Blair is accused of 'playing a dangerous game with this country's treasured freedoms' (p. 6). Interestingly, the terrorism policy is defined as 'Blair's bill' rather than Clarke's Bill. This is in stark contrast to the 2001 Act, where the proposals were very much seen as being driven by Blunkett rather than dictated by Downing Street. In its final editorial on 12 March 2005, the *Mirror* argued that the legislation jeopardises homeland security, and makes a direct comparison with the dossier on Iraq, with the ultimate point being that as with the current situation there was 'no evidence' to vindicate the government's course of action (p. 6).

Commentary standpoints echoed the arguments proffered in the editorials. A feature article on 1 March 2005, questioned the true nature of the terrorism threat, arguing that whilst it acknowledged the existence of a terrorism threat the government's discourse does little to promote public understanding. Highlighting the difficulty of defining what the threat is, it goes on to say that the nature of the threat is evolving and that more effort needs to go into understanding 'the issues which drive young men into the arms of militant organisations' (p. 10). Like the editorials, it also referred to the Iraq War, this time in the context of 'fuelling terror' (Ibid.). The article makes a direct appeal to the government to look at 'the causes of terrorism, rather than casually sacrificing our basic freedoms',

especially the abolishment of the right of presumption of innocence that could lead to British citizens being 'labelled a "terrorist" without charge or trial' (Ibid.).

There is also a strong focus on excessive state powers, with the government accused of undermining the democratic process by rushing the Bill through parliament without proper debate. As with the editorials, the article draws on the same 'police state' leitmotifs, perhaps incongruently, aligning Britain's draconian security policy with that of Burma and South Africa under apartheid. The government is also charged with allowing unelected security services to dictate policy (4 March 2005, p. 29).

In the final few days of coverage, the commentary pieces focused on the political machinations within government and between parties, as well as on individual personalities. On 10 March 2005, an opinion piece declared that Blair and Clarke might have 'won the terror law votes...but still lost the arguments' (p. 2), with the same article attacking Michael Howard for playing into the hands of the government 'by nakedly making it a party political issue instead of a point of principle' (p. 2). An opinion piece on 12 March 2005 claimed that the debates around the Bill were 'raw politics', with both the government and the Opposition using parliament as a warm up for the forthcoming general election. It accused the Tories of using the Commons as a forum to 'paint Blair as weak by forcing him to blink first and climb down' (p. 2), with Blair using it as a means to expose the Tories as weak on terrorism.

5.6 Summary

This chapter has analysed the press coverage of the passage of the PTA 2005, and whilst there was certainly a heavy focus on party politics, there was a much higher incidence of the civil liberties frame than in the previous case study. The editorial and commentary analyses revealed that there was broad support for the government's position from the Murdoch press. However the *Times* did include pieces that were critical of the government for failing to make concessions that would have strengthened the Bill. The *Guardian* mainly reflected an anti-government and pro-civil liberties stance, but that said, was surprisingly sympathetic to Clarke as Home Secretary. Unsurprisingly, the views of the *Daily Telegraph* and the *Daily Mail* reflected their hitherto anti-New Labour positions. The coverage in the *Mirror* also tended to reflect its previously held opinion that New Labour's 'war on terror' policies were detrimental to civil liberties and human rights.

In terms of press attention, the broadsheets devoted more copy to the debates than did the tabloids. However, with the exception of the *Mirror* all of the newspapers included front page coverage. Unlike the previous case study, hard news did not dominate the coverage to quite the same extent. Indeed, there was a much higher prevalence of editorials and feature articles across the newspaper spectrum. The relatively short period between the introduction of the Bill and it gaining the Royal Assent, combined with the dramatic ping-ponging between the houses, could explain the high level of press coverage. Also, the newsworthiness of the

dramatic backdrop – to pass new laws to deal with the imminent release of the Belmarsh detainees – could also go some way in explaining this phenomenon.

Source-relations were as predicted, with elite sources dominating the parameters of debate. Government sources were most prevalent, followed by Conservative MPs. Like the 2001 case study, there were also very few citations from civil liberties and Muslim rights campaigners. However, whilst unattributed, their concerns were certainly represented in the coverage. Proportionately, pro-legislation sources accounted for nearly half of all citations, as did anti-legislation sources. Three quarters of the reporter tone was defined as straight, with the majority of reinforcing comments reserved for anti-legislation sources, and deflating comments for pro-legislation sources.

Again, despite the dominance of government sources, there is little evidence to suggest that they had any substantial success in shaping the news agenda, and thus this negates the government-driven thesis. Instead, at an aggregate level, the prime evidence lends support for the independent model. However, there is also evidence that some sections of the press, namely the *Daily Telegraph*, the *Guardian* and the *Mirror*, did subject the legislation to more robust scrutiny, and thus fulfilled their role as political watchdogs. These instances provide evidence for the oppositional model.

CHAPTER 6

THE TERRORISM ACT 2006

On 7 July 2005, just four months after the PTA 2005 received the Royal Assent, four suicide bombers carried out a coordinated attack on the London transport system, claiming the lives of 52 individuals and injuring over 700 people.⁷⁹ For the government, the worst-case scenario had materialised, and later it would transpire that three of the four perpetrators had been born and raised in Britain.⁸⁰ However, despite the perpetrators being ‘home grown’, the government would go to great lengths to emphasise ‘the distinction between the bombers’ nationality and the nationality of their ideology’ (Bulley, 2010: 83). This was a means, some critics argued, to minimise the role that British foreign policy might have played in the perpetrators radicalisation.⁸¹ Speaking at the Labour Party’s national conference on 16 July 2005, Blair refuted claims that Britain’s foreign policy was the mainspring for the London bombings:

⁷⁹ On 21 July 2005, further suicide attacks on the London transport system were averted, due to the bombs failing to detonate. Whilst in pursuit of the suspects, the police fatally shot a Brazilian student, Jean Charles de Menezes, at Stockwell Underground Station, after mistaking him for one of the suspects. The employment of the ‘shoot to kill’ policy was widely criticised, as was the police investigation into the shooting.

⁸⁰ Three of the perpetrators (Mohammad Sidique Khan, Shehzad Tanweer and Hasib Hussain) were born and raised in Britain to Pakistani immigrants. A fourth bomber, Germaine Lindsay, was born in Jamaica but migrated to England when he was five years of age.

⁸¹ The day after the bombings, both Tariq Ali writing in the *Guardian* and Robert Fisk in the *Independent* argued that the suicide attacks were undoubtedly influenced by the Anglo-American wars in Afghanistan and Iraq. The Respect MP, George Galloway, expressed a similar opinion. In videos made by two of the perpetrators, they stated that British foreign policy was a key impetus behind the planned attacks.

What we are confronting here is an evil ideology...and the violence that is inherent in it did not start a few years ago in response to a particular policy...If it is Afghanistan that motivates them, why blow up innocent Afghans on their way to their first ever election? If it is Iraq that motivates them, why is the same ideology killing Iraqis by terror in defiance of an elected Iraqi government?

(Blair, 2005a)

In terms of assuaging public anxiety, unlike George W. Bush, who famously kept a low profile in the immediate aftermath of 9/11, Blair straightaway ‘attempted to provide clarity and meaning in confused times’ (Closs Stephens & Vaughan-Williams, 2008: 2). Whilst travelling back from Gleneagles, where he had been hosting the G8 summit, Blair contemplated ‘how [best] to express our thoughts as a country’, arguing that such a response should not have been ‘about “emoting” or “empathising”...[but] about defining the feeling so the reaction can be shaped and the consequences managed’ (Blair, 2010: 568). In the aftershock, Blair was confident that Britons of all faiths would ‘reject prejudice in favour of solidarity’, but believed that ‘anger and a demand for action’ for tougher legislative measures would quickly ensue (Ibid.). On civil liberty arguments, Blair admitted that ‘By this point of [his] premiership, the iron had entered [his] soul on the issue of liberty versus anti-terror laws’, but recognised that, in terms of legislating, ‘there would be a battle to come’ (Ibid.).

In his speech on 5 August 2005, Blair declared ‘Let no one be in any doubt. The rules of the game are changing’ for terrorists, before unveiling his 12-point counter-terrorism plan (Blair, 2005b). Blair’s first edict was new powers for the Home Secretary to deport foreign nationals who were ‘fostering hatred, advocating violence to further a person’s beliefs or justifying or validating such violence’ (Ibid.). In the face of ‘legal obstacles’, Blair stated that the government would ‘legislate further, including, if necessary amending the Human Rights Act, in respect of the interpretation of the ECHR’ (Ibid.). He also stated that a ‘Memorandum of Understanding’ had been established with Jordan, and that the government was exploring similar avenues with ‘other relevant countries’ (Ibid.). Another measure proposed that foreign nationals who engaged with ‘specific extremist websites, bookshops, centres, networks and particular organisations of concern’ could face deportation (Ibid.).

However, the two proposals that would prove to be the most contestable during the legislative debates were Blair’s pledge to ‘[meet] the police and security service request that detention pre-charge of terrorist suspects be significantly extended’ and the creation of ‘an offence of condoning or glorifying terrorism’ (Ibid.). A measure that would allow for the closure of mosques that were suspected of being ‘used as a centre for fomenting extremism’ was later abandoned after widespread condemnation from the Muslim community (Ibid.).

However, several other proposed measures were met with little resistance in parliament, including: the automatic refusal of asylum to ‘anyone who has

participated in terrorism’; the reduction of the time limit for terrorism related extradition cases; the extension of the use of control orders; and the proscription of extremist groups such as Hizb-ut-Tahrir (Ibid.). Not all of these measures were contained in the Terrorism Bill, but two of the most contestable measures – glorification of terrorism and 90-days detention – were. Whilst the glorification of terrorism made its way onto the statute book, albeit in an amended form,⁸² the government’s plan to extend pre-charge detention up to 90 days was rejected by parliament – constituting Blair’s first Commons defeat.⁸³

This chapter focuses on how the British press reported the Terrorism Act 2006 (hereafter referred to as TA 2006). Before presenting the findings of the quantitative and qualitative content analyses of the news content, it provides an overview of the key provisions contained in the Act, as well as the different standpoints of the main actors involved in the debates. These being the government, the political opposition, members of the House of Lords, as well as the police and security services, and to a lesser extent, civil liberties and Muslim advocacy groups. In terms of the news content study, the chapter has been organised as follows: firstly, it details the quantitative findings, which include the level of press attention devoted to the Bill and the key sources that shaped the news agenda. Secondly, it discusses the findings of the framing analysis, specifically looking at how the media framed the policy debates as well as the editorial responses of particular newspapers. The chapter concludes with a

⁸² Although rejected as an offence in its own right, it was later subsumed into the ‘encouragement of terrorism’ clause (Terrorism Act 2006, s 1).

⁸³ Instead, the Commons voted to extend the detention limit to 28 days (HC Deb 9 November 2005, vol 439, cols 382–385).

consideration of the overall performance of the press, with special reference to the theoretical arguments discussed in previous chapters. To underpin particular points of discussion, this chapter also draws on some of the insights gleaned from the interview with the then Home Secretary, Charles Clarke, conducted by the author on 4 February 2014.

6.1 Background to the TA 2006

Officially, then, the TA 2006 was the government's legislative response to 7/7, and was introduced to the Commons by Clarke on 12 October 2005.⁸⁴ Whilst the previous two acts had been criticised for the speed with which they were pushed through parliament, this was not the case with the TA 2006. Indeed, Clarke was widely commended for allowing adequate time for proper parliamentary scrutiny and for eliciting the views of the Opposition. Prior to the bill's introduction to Parliament, Clarke twice wrote to the shadow home secretary, David Davis, and the Liberal Democrat home affairs spokesperson, Mark Oaten, to stimulate dialogue on the outline proposals.

Whilst Davis and Oaten approved many of the provisions, there were two major sticking points, namely the 90-days detention and the glorification of terrorism proposals, with the press and civil liberties campaigners echoing the Opposition's disquiet. The 90-days detention provision also attracted considerable opposition from a sizeable number of Labour backbenchers, who had, as it transpired, an

⁸⁴ That said, Clarke also announced that discussions around some of the legislative proposals had already been in progress prior to the terrorist attacks on London, as a means to close the gaps in the current terrorism laws.

instrumental role in bringing about the government's first Commons defeat. Even some ministers at the heart of government were 'privately' sceptical of some of the proposals. For example, Jack Straw, who was Foreign Secretary at the time of the bill's passage, affirmed that he believed that Blair had gone too far with the 90-days detention limit. He stated, 'There was a lot of criticism [from the press], and I think it was well placed as it turned out on the 90 days proposal' (Interview with author, 12 February 2014). Moreover, in a leaked letter from Clarke to the Opposition parties, it appeared that Clarke himself was prepared to make concessions on the detention limit, but his stance was to change in his later correspondence. For Downing Street, however, 7/7 had vindicated the strengthening of previous legislation and provided ballast for new laws to counter a terrorist risk that was no longer based on an existential threat but on real world experience.

The previous chapter dealt in some detail with Clarke's recollections of the government-press nexus during his tenure at the Home Office, and thus, the present chapter will not cover the same ground. However, it is instructive to discuss the relationship between Blair and Clarke during the legislative debates. As discussed elsewhere, after Blunkett's departure from the Home Office, Blair became much more politically and publically involved in the terrorism legislative drives; this was especially the case during the passage of the TA 2006. On the media relations side, Clarke provided an account of the relationship between Downing Street and the Home Office, in which he stated:

Lines to take would be agreed. Sometimes briefing instructions might be discussed with Number Ten. If there was a big story running and PM's Questions were coming etc., Number Ten might say: "How are we dealing with that?" So, it [Blair's involvement with the media] wasn't rare. There was an active Number Ten engagement in the process and the senior press adviser to the Prime Minister would talk to him every day about what was coming, and if it were coming on the agenda, he would talk to Tony about it directly. Would Tony get involved? Possibly.

(Interview with author, 4 February 2014)

Generally, though, Blair's involvement with Clarke during the debates tended to be on matters of policy rather than the media minutiae. An occasion where Blair did become directly involved was during the debates around the 90-days detention provision, as Clarke affirmed: 'When we were dealing with the actual stage of deciding whether to proceed with the 90 days or not, Tony was very directly involved with that, very, very, fully' (Ibid.). Regarding the policymaking process, Clarke believed that the press had little influence in the area of terrorism policy, but rather served as a 'backdrop in the debates' (Ibid.), with Clarke conceding that to 'start allowing the media to play very directly into the counter-terrorism stuff is a very slippery slope about where you end up' (Ibid.).

Clarke cited the police and the security services as being the 'biggest force' in terms of informing the government on the practicability of the legislative

measures. Indeed, Clarke restated many of the arguments put forward by the police, including the points raised in a letter he received from Andy Hayman, the Assistant Commissioner of the Met at the beginning of October 2005. A key argument being that the complexity of modern terrorism cases, including the global dimension, required longer pre-charge detention for police investigations. Blair confirmed that the security measures were drafted in accordance with police supplications, rather than in appeasement to the press, believing that after 7/7 it was especially prudent to 'err on the side of toughness' (Blair, 2010: 583). Indeed, Blair noted that, despite the shadow home secretary's 'crazy mistake' of moving the Tories to a 'liberal position' on terrorism laws, the traditional right-leaning press 'rallied to an untraditional Tory position' (Ibid.). The implication being that no matter what the policy, the press were always likely to reflect its hitherto partisan line.

Commenting on the government's defeat in the Commons over the 90-days detention measure, Blair avowed that on 'a simple, almost pristine issue of national security – [he] felt instinctively more comfortable losing than winning through compromise' (Blair, 2010: 584). On the press reaction, Blair acknowledged that he had been aware of the negative articles that predicted his demise due to his 'vanishing authority', but could also 'sense that the very recklessness of it, on something [he] believed was right, got [him] traction among the public' (Ibid.). Opinion polls conducted at the time gave credence to his claims that the government had the support of the public. Indeed, a YouGov

survey found that 72 per cent of the public supported the 90-days detention proposal.

On losing the argument in parliament, Clarke believed that the ‘media was not core in this’ (Ibid.). Where the media does have influence, Clarke conceded, was in the midst of a terrorist attack:

On something as enormous as terrorism, the sense in which the media is important is if there has been a couple of explosions and we just go on as normal, and something else happens – then you are acutely aware that the media will say, “you were asleep on the job, why didn’t you act?” – and it would be a fair criticism.

(Ibid.)

Regarding the ‘glorification of terrorism’ proposal, several influential human rights organisations, such as Amnesty International and Liberty criticised the vagueness of the clause, as well as its ‘chilling’ implications for freedom of expression (See Amnesty International, 2005: 5–10; and Liberty, 2005: 11).⁸⁵ On 28 November 2005, after the government’s dramatic defeat in the Commons, the JCHR published its third report of the session. Whilst the 90-days detention was no longer an issue, there was still concern over the glorification of terrorism

⁸⁵ A report published by the United Nations Human Rights Committee in 2008, also voiced ‘concern that the offence of “encouragement of terrorism” [had] been defined in section 1 of the Terrorism Act 2006 in broad and vague terms’ and advised the government to ‘consider amending that part of section 1 of the Terrorism Act 2006 dealing with “encouragement of terrorism” so that its application does not lead to a disproportionate interference with freedom of expression’ (United Nations Human Rights Committee, 2008: 71).

proposal. Echoing the concerns of politicians, lawyers and civil liberties groups, the Committee expressed concern that the clause could hinder freedom of expression, and to some degree, was incompatible with human rights obligations.

The Report stated:

The Committee accepts, on balance, that the case has been made out by the Government that there is a need for a new, narrowly defined criminal offence of indirect incitement to terrorist acts. However, it considers that the offence of encouragement in clause 1 is not sufficiently legally certain to satisfy the requirement in Article 10 that interferences with freedom of expression be “prescribed by law” because of (i) the vagueness of the glorification requirement, (ii) the breadth of the definition of “terrorism” and (iii) the lack of any requirement of intent to incite terrorism or likelihood of such offences being caused as ingredients of the offence. In the Committee’s view, to make the new offence compatible, it would be necessary to delete the references to glorification, insert a more tightly drawn definition of terrorism, and insert into the definition of the offence requirements of intent (which could include subjective recklessness instead of the objective recklessness test introduced at Commons report stage) and likelihood.

(Joint Committee on Human Rights, 2005: 3)

The Act in its final form included several new offences as well as extensions to existing provisions. In regards to the two most debated measures, a longer pre-charge detention limit and the glorification of terrorism, the TA 2006 increased

the detention limit from 14-days to 28-days, and made the encouragement or ‘glorification’ of terrorism a criminal offence, and subject to a maximum prison sentence of seven years.⁸⁶ It also afforded greater powers to the Home Secretary to proscribe extremist groups, and created the new offences of dissemination of terrorist publications, and preparation of terrorist acts and terrorist training.

6.2 Press Attention

This section presents the results of the quantitative part of the news content study. For ease of reference, Table 6.1 illustrates the progression of the TA 2006 with the corresponding newspaper sample dates, and spans the period between 12 October 2005 (the day the Bill was first introduced) and 31 March 2006 (the day after the Bill gained the Royal Assent).

Table 6.1 Progression of the TA 2006 with corresponding newspaper sample dates (12 October 2005 – 30 March 2006)

PROGRESSION OF ACT	NEWSPAPER SAMPLE DATES
<i>HC first reading:</i> 12 October 2005	13 October 2005
<i>HC second reading:</i> 26 October 2005	27 October 2005
<i>HC committee stage:</i>	
2 November 2005	3 November 2005
3 November 2005	4 November 2005
<i>HC report stage:</i> 9 November 2005	10 November 2005

⁸⁶ Officially defined as the ‘encouragement of terrorism’, the clause ‘applies to a statement that is likely to be understood by some or all of the members of the public to whom it is published as a direct or indirect encouragement or other inducement to them to the commission, preparation or instigation of acts of terrorism or Convention offences.’ Online. Available HTTP: <<http://www.legislation.gov.uk/ukpga/2006/11/part/1>> (accessed 10 July 2014).

HC third reading: 10 November 2005	11 November 2005
HL first reading: 10 November 2005	
HL second reading: 21 November 2005	22 November 2005
HL committee stage:	
5 December 2005	6 December 2005
7 December 2005	8 December 2005
13 December 2005	14 December 2005
20 December 2005	21 December 2005
HL report stage:	
17 January 2006	18 January 2006
25 January 2006	26 January 2006
HL third reading: 1 February 2006	2 February 2006
HC consideration of Lords amendments:	
15 February 2006	16 February 2006
HL consideration of Commons amendments:	
26 February 2006	27 February 2006
HC consideration of Lords amendments:	
16 March 2006	17 March 2006
HL consideration of Commons amendments:	
22 March 2006	23 March 2006
Royal assent: 30 March 2006	30 March 2006
	31 March 2006
	TOTAL: 20 days

Echoing the 2001 and 2005 case studies, the broadsheets devoted significantly more coverage to the TA 2006 than did the tabloids. There was negligible difference between the broadsheets in terms of output, with the *Guardian* devoting 26,019 words (44 articles) to the debates surrounding the passage of the Bill, the *Daily Telegraph* 23,339 words (36 articles) and the *Times* 21,149 words (31 articles). Out of the tabloids, the *Daily Mail* devoted 14,389 words (25

articles) to the debates, significantly more than the *Mirror* and the *Sun*, who devoted 5,799 words (15 articles) and 3,801 words (15 articles) respectively. However, despite the difference in the number of words devoted to the Bill, the two redtops produced an equivalent number of articles. Figure 6.1 provides an illustrative representation of the number of words each newspaper devoted to the passage of the Bill, and Table 6.2 shows the number of words and total number of articles per newspaper.

Figure 6.1 Words devoted to the TA 2006 by newspaper

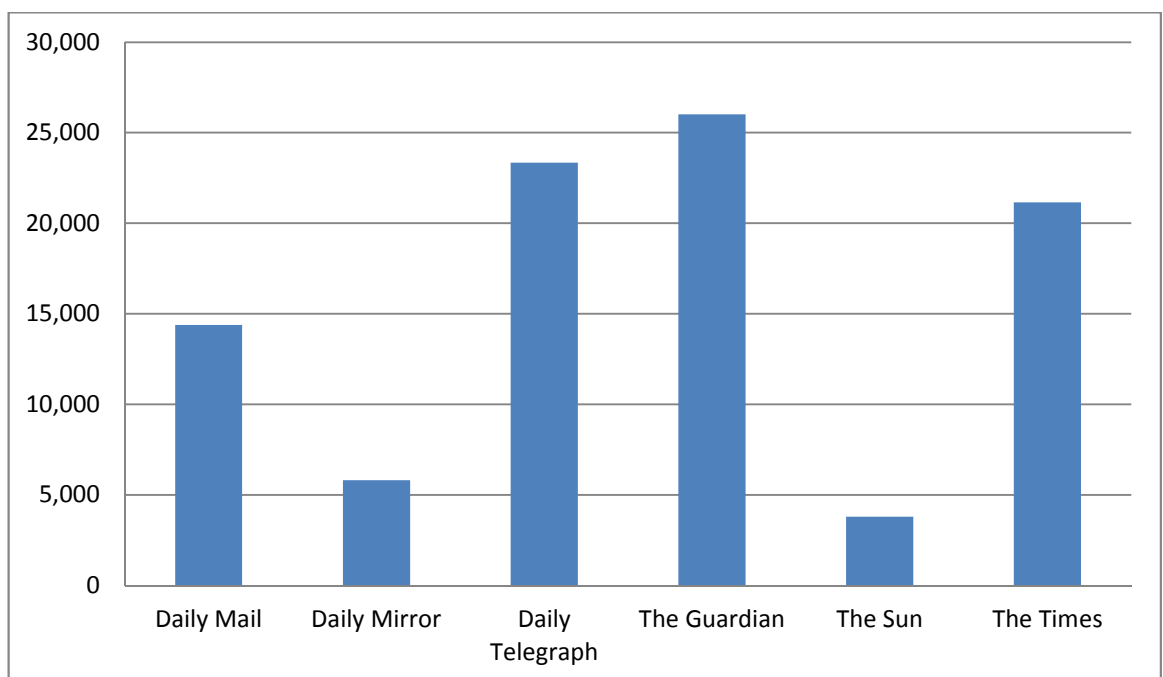


Table 6.2 Total number of words and articles devoted to the TA 2006 per newspaper

Newspapers	Total Words	N Articles
<i>Daily Mail</i>	14,389	25
<i>Daily Mirror</i>	5,799	15
<i>Daily Telegraph</i>	23,339	36
<i>The Guardian</i>	26,019	44
<i>The Sun</i>	3,801	15
<i>The Times</i>	21,149	31
Total	94,496	166

Figure 6.2 shows a timeline of the number of articles that appeared in each newspaper over the duration of the passage of the Bill. In terms of which issues garnered the most attention, there was a major peak in media interest on 10 November 2005 (42 articles), then again on 11 November 2005 (29 articles) and 16 February 2006 (21 articles). These dates corresponded respectively with the Commons report stage on 9 November 2005, the Commons third reading, as well as the Lords first reading on 10 November 2005, and the Commons consideration of the Lords amendments on 15 February 2006. Coverage on 10 November and 11 November 2005 dealt with the aftermath of the government's first Commons defeat, in which the Opposition and Labour rebels voted against 90-days detention. Coverage on 16 February 2006, focused on the government's victory in securing the vote for the 'glorification of terrorism' clause.

Figure 6.2 Number of articles appearing in all newspapers over the sample period (12 October 2005 – 30 March 2006)

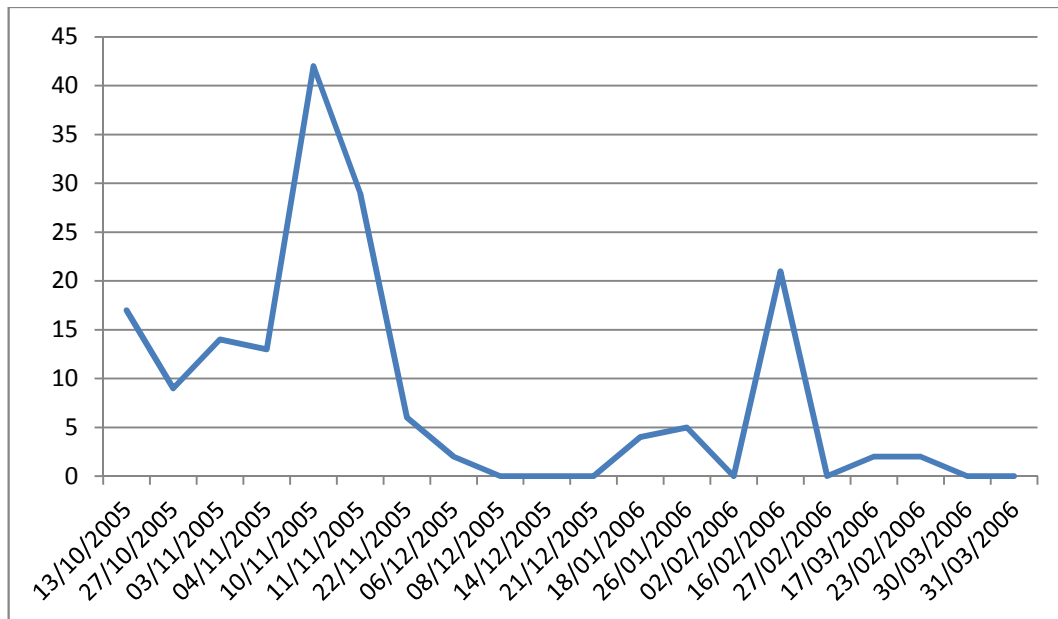


Table 6.3 shows the story location of news items by newspaper. In terms of story location, all of the newspapers included front page coverage of the policy debates, with the *Daily Telegraph* and the *Guardian* devoting six and seven front pages to the debates respectively. All the other titles devoted just one front page to the Bill, whilst most of the articles were located within the inside pages. On 10 November 2005, all of the newspapers devoted front page coverage to the government's first defeat in the Commons. Most of the headlines postulated what the defeat could mean for Blair's political career, and included: 'Blair's blackest day?' (*Daily Telegraph*); 'After eight years in power Tony Blair hears a new word: defeat' (*Guardian*); 'Beginning of the end?' (*Times* and the *Daily Mail*); and 'Start packing Cherie? Blair rocked as rebels inflict first ever Commons defeat'

(*Mirror*). Meanwhile, the *Sun* reflected a decidedly different view by declaring:
‘Traitors: MPs betray public’.

Table 6.3 Story location by newspaper (TA 2006)

Newspaper	Front Page	Inside Pages	Feature	Editorial	Total
<i>Daily Mail</i>	1	17	2	5	25
<i>Daily Mirror</i>	1	11	-	3	15
<i>Telegraph</i>	6	21	4	5	36
<i>The Guardian</i>	7	29	4	4	44
<i>The Sun</i>	1	13	-	1	15
<i>The Times</i>	1	21	6	3	31
Total	17	112	16	21	166

Table 6.4 shows the format of the news items. Over half of all articles across the newspaper spectrum were categorised as hard news, followed by the feature, editorial and background formats. As with the PTA 2005, all of the newspapers included editorials, with the highest number appearing in the *Daily Mail* and the *Daily Telegraph*, with five apiece, followed by four in the *Guardian*, three apiece in the *Mirror* and the *Times*, and one in the *Sun*.

Table 6.4 Article format (TA 2006)

Newspaper	Hard News	Background	Editorial	Feature	Total
<i>Daily Mail</i>	14	-	5	6	25
<i>Daily Mirror</i>	10	2	3	-	15
<i>Telegraph</i>	21	1	5	9	36
<i>The Guardian</i>	21	9	4	10	44
<i>The Sun</i>	11	-	1	3	15
<i>The Times</i>	16	4	3	8	31
Total	93	16	21	36	166

Table 6.5 shows the type of author. Staff writers and regular columnists wrote the majority of articles. Of the two titles that included pieces by guest opinion writers, the *Times* included a piece by the security expert Dean Godson, whilst the *Guardian* included a commentary by Louise Christian, a lawyer acting on behalf of Guantanamo detainees.

Table 6.5 Type of Author (TA 2006)

Newspaper	Staff News	Regular Opinion	Guest Opinion	Editorial	Not Stated	Total
<i>Daily Mail</i>	11	6	-	5	3	25
<i>Daily Mirror</i>	12	-	-	3	-	15
<i>Daily Telegraph</i>	21	7	-	5	3	36
<i>The Guardian</i>	25	9	1	4	5	44
<i>The Sun</i>	7	2	-	1	5	15
<i>The Times</i>	17	7	1	3	3	31
Total	93	31	2	21	19	166

Table 6.6 shows the number and type of visuals that appeared in each newspaper. Unlike the PTA 2005, where Charles Clarke was the most depicted across the newspapers, there was significantly more focus on Blair during the coverage of the TA 2006, with the *Mirror* including nine photographs of the prime minister. The police with eleven appearances followed this, although images of the police were not included in the two redtops. Images of Clarke, government ministers, Labour rebels, the aftermath of 7/7 and stock images had nine appearances each. A surprising aspect was the relatively small number of images of the aftermath of the London bombings, especially as the legislation was officially defined as the political response to the atrocities. This could suggest that some of the newspapers

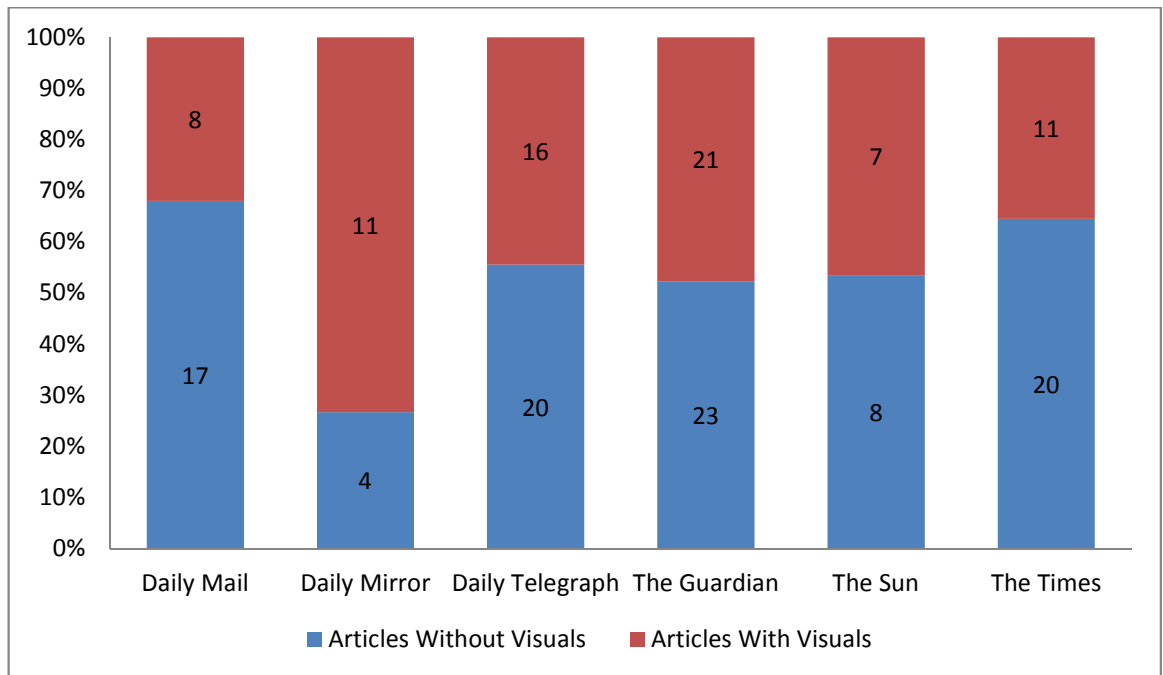
were deliberately avoiding using the emotive images of 7/7, as a means to negate the official justification for the legislation.

Table 6.6 Number and type of visuals per newspaper (TA 2006)

	DT	Times	Guard	Mail	Sun	Mir	Total
Visual Type							
Blair	3	1	3	3	4	9	23
Clarke	3	1	3	2	-	-	9
Gov. Minister	4	1	2	-	-	2	9
Lab MPs	1	1	-	-	-	2	4
Lab Opp MPs	1	7	1	-	-	-	9
Peers	1	-	-	-	-	-	1
Police	2	4	4	1	-	-	11
Law Lords	1	-	-	-	-	-	1
Muslims	-	1	-	-	-	-	1
Campaigners/ protestors	1	-	4	-	-	-	5
7/7 aftermath or victims	-	1	2	-	3	3	9
Terrorists or suspects	1	-	-	1	2	-	4
Cartoon	2	2	2	1	-	-	7
Graphic	1	-	-	-	-	-	1
Stock Image	-	1	2	-	3	3	9
Total	21	20	23	8	12	19	103

Figure 6.3 shows the ratio of articles that contained images. As with the PTA 2005, the *Mirror* included more articles with accompanying visuals than did the other newspapers, and the *Daily Mail* the least. Almost half of the articles in the *Guardian* and the *Sun* appeared with accompanying images.

Figure 6.3 Percentage of articles with accompanying images (TA 2006)



As noted elsewhere, from 2005, the press was increasingly focusing on Blair as the main driver of the terrorism laws. After 7/7, Blair was the star player as far as the press was concerned, and had a higher proportion of representation both textually and visually than did his Home Secretary. Similarly, the police also became much more publically involved with the terrorism legislative campaigns around this period. In terms of political personalities, the newspapers tended to use generic photographs of both Clarke and Blair. Like the previous case studies, visuals were not generally used to reinforce the textual content or to bolster particular frames. Captions also tended to be descriptive rather than used as a means to anchor a particular sentiment expressed in the accompanying article. One exception being the *Mirror*, which included an image of the 7/7 survivor John Tulloch just after the Edgware Road blast with the accompanying caption:

‘7/7 Victim: My Joy at Defeat’ (11 November 2005, p. 8). The obvious connotation being that even victims of terrorist attacks believed the 90-days detention measure to be too long. Another instance occurred in the *Sun*, where under the banner ‘Winners’ (with the overarching headline, ‘Traitors’), photographs of MPs who voted against the 90-days detention clause are explicitly aligned with terrorists, including Osama Bin Laden. This is contrasted with photographs of 7/7 victims with the caption ‘Losers’, with an image of a London bus damaged by the bomb blast positioned between the ‘winners’ and the ‘losers’ (10 November 2005, p. 6).

6.3 The Primary Definers of the News Agenda

As with the previous two case studies, elite sources dominated the parameters of debate, with government sources (Downing Street, the Home Office and Labour MPs) appearing 189 times (266 paragraphs), constituting 40 percent of all actor appearances, and a 41 percent share of all paragraphs devoted to source citations. The second most represented actor or body was the Conservative Party, appearing 84 times (105 paragraphs), which accounted for 18 percent of all source appearances and a 16 percent share of all paragraphs devoted to source citations. Labour rebels constituted the third highest source group cited, with 60 appearances (accounting for 13 percent of all appearances) and 71 paragraphs (11 percent share of total paragraphs). As with the previous case studies, the civil liberties and Muslim contingents were noticeably underrepresented, with just three appearances by civil liberties campaigners in the *Guardian* and one in the

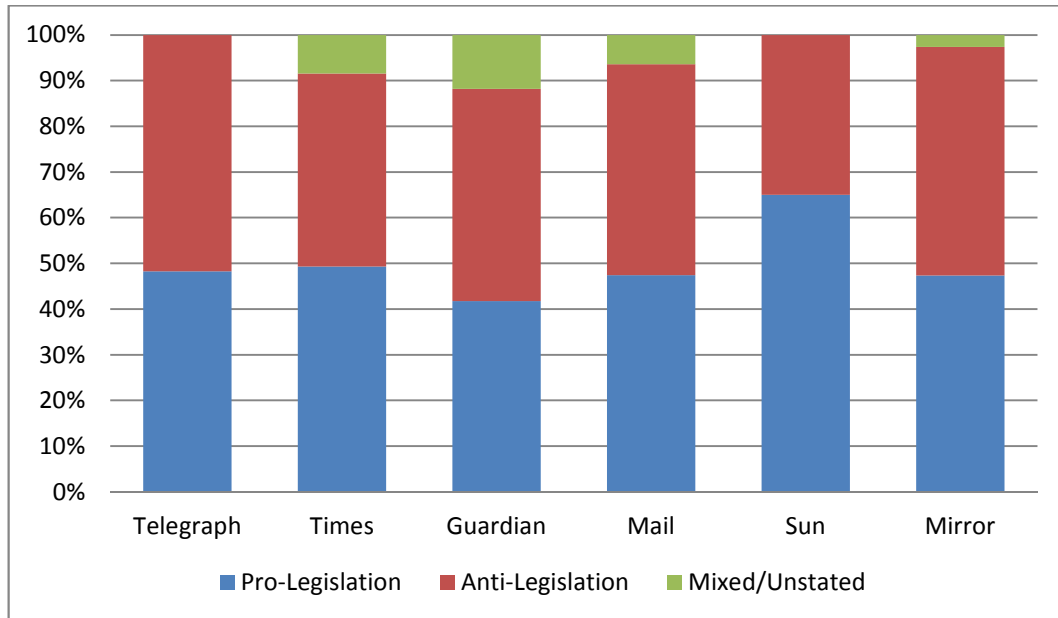
Times. However, there was a slight increase in appearances by Muslim actors in four of the six newspapers – four in the *Guardian*, two in both the *Daily Telegraph* and the *Daily Mail* and one in the *Mirror*. Table 6.7 shows the frequency of appearance and total paragraphs devoted to all source citations.

Table 6.7 Frequency of appearance and total paragraphs devoted to direct and indirect source citations (TA 2006)

Source	DT <i>n</i> (Pars)	Times <i>n</i> (Pars)	Guard <i>n</i> (Pars)	Mail <i>n</i> (Pars)	Sun <i>n</i> (Pars)	Mir <i>n</i> (Pars)	Total <i>n</i> (Pars)
Backbenchers	-	1 (1)	3 (4)	-	-	-	4 (5)
Civil Lib	2 (2)	-	3 (3)	-	-	3 (4)	8 (9)
Con Party	32 (43)	11 (12)	21 (22)	14 (21)	4 (4)	2 (3)	84 (105)
Con Peers	4 (10)	1 (1)	5 (6)	-	-	-	10 (17)
Con Opp	-	1 (1)	-	-	-	-	1 (1)
Downing St.	29 (41)	13 (19)	21 (28)	18 (26)	6 (11)	10 (16)	97 (141)
Home Office	22 (25)	11 (16)	15 (18)	15 (28)	1 (3)	3 (5)	67 (95)
Lab Party	5 (6)	4 (4)	8 (9)	3 (4)	2 (2)	3 (5)	25 (30)
Lab Peers	6 (7)	4 (5)	7 (10)	1 (1)	2 (2)	1 (1)	21 (26)
Lab Rebels	17 (21)	9 (9)	13 (14)	13 (17)	1 (1)	7 (9)	60 (71)
Law Lords	4 (14)	-	1 (1)	-	-	-	5 (15)
LD Party	6 (8)	4 (4)	5 (5)	4 (7)	1 (1)	4 (7)	24 (32)
LD Peers	3 (8)	5 (6)	10 (12)	3 (6)	-	1 (1)	22 (33)
Muslim	2 (2)	-	4 (10)	2 (3)	-	1 (1)	9 (16)
All Opp	2 (2)	1 (1)	2 (2)	3 (3)	-	0	8 (8)
Other Pol	-	-	2 (2)	-	-	1 (1)	3 (3)
Other Peers	2 (4)	2 (3)	2 (2)	-	2 (2)	-	8 (11)
Police	6 (7)	3 (5)	4 (5)	2 (3)	1 (2)	2 (2)	18 (24)
Security	1 (5)	1 (1)	-	-	-	-	2 (6)
UN	-	-	1 (1)	-	-	-	1 (1)
Total	143 (205)	71 (88)	127 (154)	78 (119)	20 (28)	38 (55)	477 (649)

Figure 6.4 shows the proportion of pro-legislation, anti-legislation and mixed/unstated sources included in each newspaper based on frequency of appearance (a full breakdown of the sources and their positions on the legislation can be found in Appendix 9). At an aggregate level, pro-legislation and anti-legislation sources each accounted for 47 percent of the total share, with mixed/unstated sources representing six percent. With the exception of the *Sun*, all of the newspapers had an even spread of pro- and anti-legislation sources. Overall, the *Sun* had the highest proportion of pro-legislation sources, comprising 65 percent of all sources, with 35 percent of all sources reflecting an anti-legislation stance. Half of the newspapers were slightly slanted toward anti-legislation sources, including the *Daily Telegraph* with 52 percent of its total sources reflecting an anti-legislation stance compared with 48 percent for pro-legislation. Similarly, the anti-legislation sources constituted 46 percent of the share in the *Guardian* and 50 percent in the *Mirror*, with pro-legislation sources making up 42 percent and 47 percent of their respective sources. The *Guardian* also had the highest proportion of mixed/unstated sources, constituting 12 percent of all sources. Inversely, the *Times* and the *Daily Mail* tilted in favour of pro-legislation sources, which comprised 49 percent and 47 percent of their total sources, with 42 percent and 46 percent of their respective sources reflecting anti-legislation perspectives. The share of mixed/unstated sources was close to 9 percent in the *Times* and nearly 7 percent in the *Daily Mail*.

Figure 6.4 Source position on legislation as proportion of frequency of appearance (TA 2006)



Across all the newspapers, Figure 6.5 shows that 91 percent of the reporter tone toward the sources cited was coded as straight, with 4 percent of all source citations coded as deflating and 5 percent as reinforcing of source assertions. The straight percentage corresponds exactly with the ratio in the 2001 Act.

Figure 6.5 Reporter tone toward all sources across all newspapers as percentage (TA 2006)

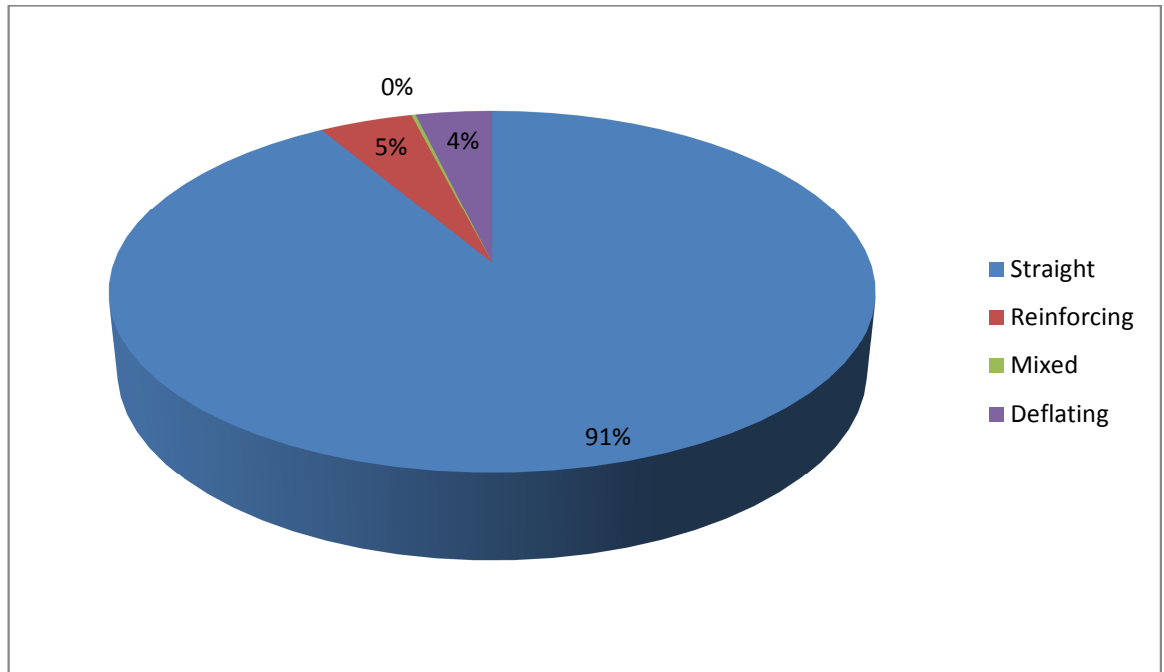


Table 6.8 demonstrates the reporter tone toward the different source positions in each newspaper. As Figure 6.5 revealed, the vast majority of articles contained a straight reporter tone toward the sources cited. However, when reporters did move away from straight reporting, the majority of deflating comments at an aggregate level were aimed at pro-legislation sources, with anti-legislation sources gaining the most reinforcing comments. When considering the newspapers at an individual level, all four of the reinforcing comments in the *Sun* were aimed at government source assertions, whilst its one occurrence of a deflating tone was made toward the Conservative Party. The *Times* was the only other title that included a reinforcing tone toward a pro-legislation source citation, and that was reserved for the police. Contrariwise, the *Guardian* provided the most negative

commentary toward pro-legislation sources, with all six of its deflating comments levelled at the government. Similarly, all three of the *Daily Telegraph's* deflating comments, and one apiece from the *Times* and the *Daily Mail*, were reserved for the government.

Anti-legislation sources received five deflating evaluations from the *Guardian*, all of which were against the Conservative Party, as was the one occurrence in the *Times*. In terms of reinforcing evaluative comments devoted to anti-legislation sources, the *Daily Telegraph* included the most, half of which were devoted to the Conservative Party, followed by the Liberal Democrats and peers opposed to the terrorism Bill. Most of the reinforcing coverage in the *Daily Mail* was also directed at the Conservatives, closely followed by the Liberal Democrat Party, as was the two instances in the *Guardian*. The *Mirror* was the only title that did not include any deflating or reinforcing comments against pro- or anti-legislation sources.

Table 6.8 Reporter tone toward pro- and anti-legislation sources (TA 2006)

	DT	Times	Guard	Mail	Sun	Mir	Total
Source Position							
Pro-Legislation	69	35	53	37	13	18	225
Straight	66	32	47	36	9	18	208
Reinforcing	-	1	-	-	4	-	5
Mixed	-	1	-	-	-	-	1
Deflating	3	1	6	1	-	-	11
Anti-Legislation	74	30	59	36	7	19	225
Straight	64	29	52	31	6	19	201
Reinforcing	10	-	2	5	-	-	17
Mixed	-	-	-	-	-	-	-
Deflating	-	1	5	-	1	-	7
Mixed/Unstated	-	6	15	5	-	1	27
Straight	-	6	15	5	-	1	27
Reinforcing	-	-	-	-	-	-	-
Mixed	-	-	-	-	-	-	-
Deflating	-	-	-	-	-	-	-

6.4 Media Framing of Policy Debates

In terms of which frames predominated at an aggregate level, a similar pattern to the framing of the ATCSA 2001 and PTA 2005 emerges. The politics frame was the most prevalent across the entire sample of newspapers, accounting for 45 percent of all articles, whilst 11 percent of the articles did not display any significant framing or reasoning devices relevant to a particular frame. Just 8 percent of all articles displayed exclusive elements of the security frame, 18 percent the civil liberties frame, with mixed frames constituting the remaining 18 percent of the articles. Figure 6.6 provides an illustrative representation of which frames predominated across the sample. When comparing the broadsheets and the tabloids, six percent of all articles in the broadsheets and 13 percent of all articles

in the tabloids reflected the security frame. However, as with the PTA 2005, when considering the tabloids at an individual level, this measurement reflected the high incidence of the frame in the *Sun* – with just one appearance of the frame in the *Mirror* and none in the *Daily Mail*. Similarly, when considering the tabloids support for the civil liberties frame – which reflected 15 percent of frames at an aggregate level – only the *Daily Mail* included articles that were coded as exclusively reflecting civil liberties perspectives. Twenty percent of all articles across the broadsheet sample reflected the civil liberties frame. Again, there was a heavy slant towards the politics frame in both the broadsheets and the tabloids constituting 45 percent and 44 percent of their respective outputs. The broadsheets had a slightly higher incidence of frameless articles, 12 percent compared with 9 percent for the tabloids.

Figure 6.6 Predominant frames (%) across all newspapers, broadsheets and tabloids (TA 2006)

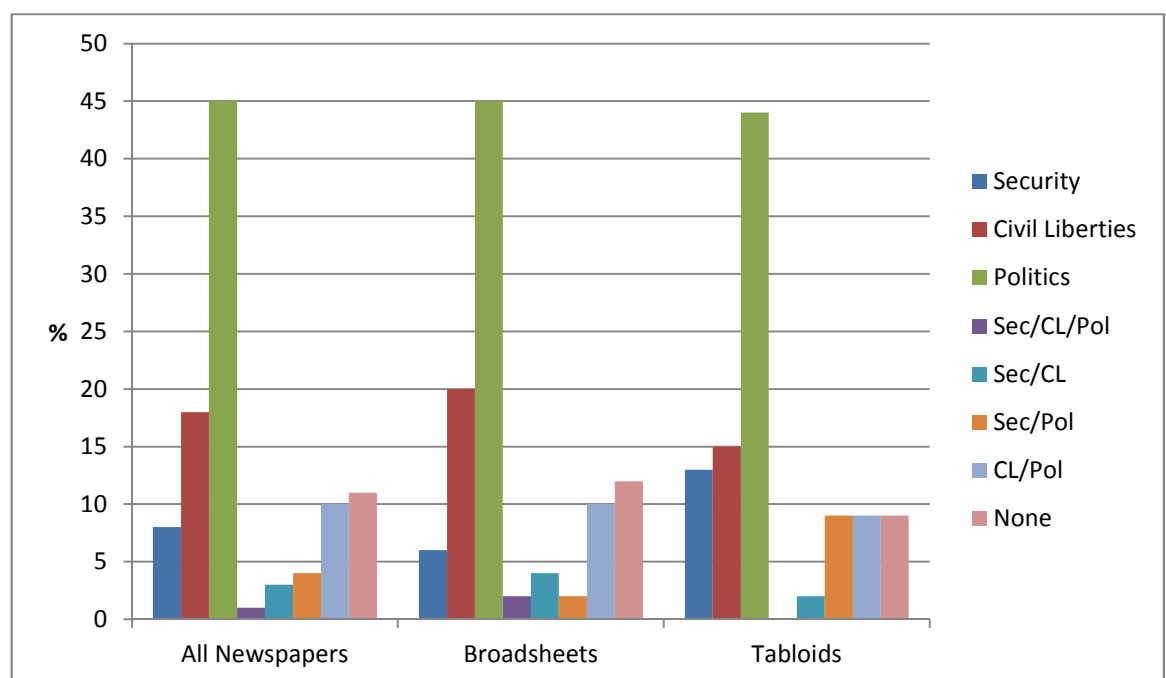


Table 6.9 shows the predominant frames in each newspaper. The security frame was most prevalent in the *Sun* with six articles, with the *Daily Telegraph* and the *Guardian* including three articles apiece, and the *Times* and *Mirror* just one each; whilst the *Daily Mail* was the only newspaper not to include any articles that exclusively reflected national security perspectives. The civil liberties frame was particularly prevalent in the *Daily Telegraph*, the *Guardian* and the *Daily Mail*, appearing nine, ten and eight times respectively. However, the two redtops did not include any articles with an exclusive civil liberties frame. With the exception of the *Sun*, the politics frame was the most heavily represented across the newspaper sample.

Table 6.9 Predominant frames per newspaper (TA 2006)

	DT	Times	Guard	Mail	Sun	Mir	Total
Frames							
Security	3	1	3	-	6	1	14
Civil Liberties	9	3	10	8	-	-	30
Politics	13	21	16	11	4	9	74
Sec/CL/Pol	1	1	-	-	-	-	2
Sec/CL	1	-	3	-	1	-	5
Sec/Pol	-	1	1	1	3	1	7
CL/Pol	7	1	3	2	-	3	16
None	2	3	8	3	1	1	18
Total	36	31	44	25	15	15	166

Figure 6.7 presents the quotient of frames per newspaper. Only eight percent of the *Daily Telegraph's* coverage reflected the security frame, 25 percent the civil liberties frame, 22 percent mixed frames and 36 percent the politics frame. In the *Times*, just three percent of articles reflected the security frame, 10 percent the civil liberties frame and 68 percent the politics frame, with 10 percent of articles coded as reflecting mixed perspectives. The *Guardian* devoted most of its space

to the politics frame, with 36 percent of all articles reflecting this frame, and 23 percent reflecting the civil liberties frame. Forty-four percent of all articles in the *Daily Mail* reflected the politics frame, with 32 percent devoted to civil liberty perspectives. Forty percent of the articles in the *Sun* reflected the security frame, compared to 27 percent for the politics frame. Out of all the newspapers, the politics frame had a higher proportion of representation in the *Mirror*, accounting for 60 percent of all articles.

Figure 6.7 Composition (%) of frames per newspaper (TA 2006)

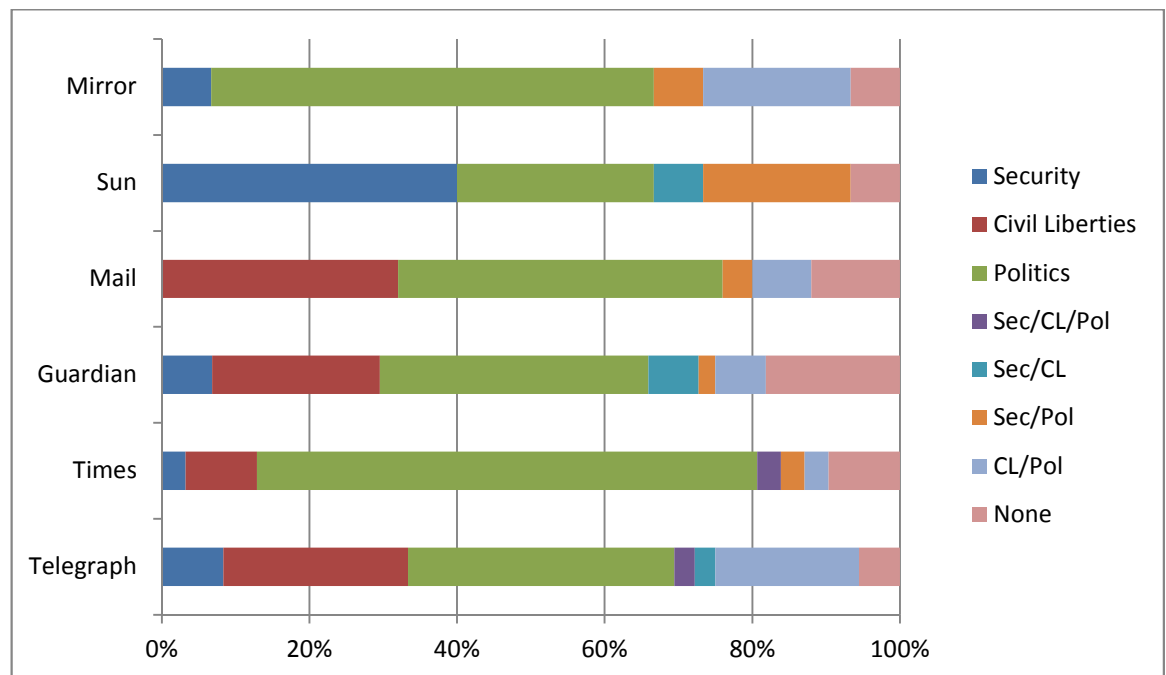
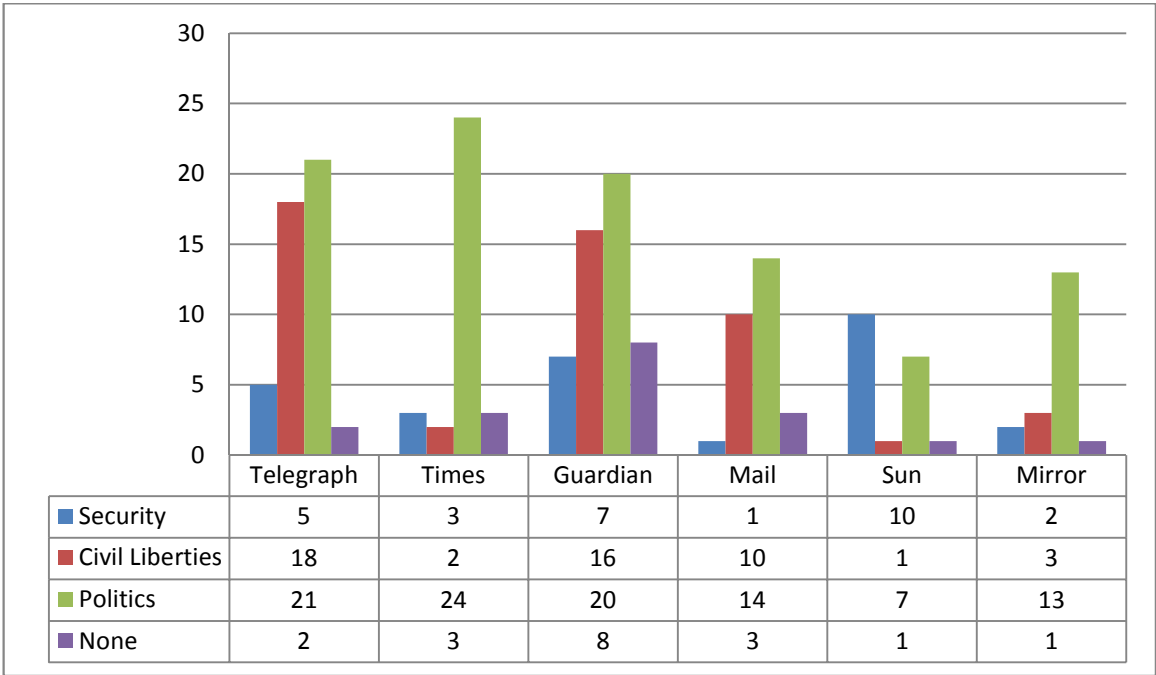


Figure 6.8 shows the predominate frames at an aggregate level. When the mixed frames are combined with the three meta frames (security, civil liberties and politics) the findings show that the politics frame was the most prevalent in all the newspapers with the exception of the *Sun*, where the security frame dominated. Interestingly, out of the broadsheets, the *Times* had the least occurrences of the

security frame in its aggregate form, numbering three times compared with the *Daily Telegraph* with five instances and the *Guardian* with seven. As with the PTA 2005 case study, the civil liberties frame was heavily represented in the *Daily Telegraph* (18 occurrences) and the *Guardian* (16 occurrences), and to a lesser extent in the *Daily Mail* (10 occurrences), whereas it had little representation in the *Times*, the *Sun* and the *Mirror*, with two, one and three appearances correspondingly.

Figure 6.8 Predominate frames at an aggregate level (TA 2006)



In terms of which themes or depictions were most heavily represented within the politics frame, as expected the ‘political conflict’ leitmotif gained considerable coverage. Across the newspaper sample, there was much focus on the conflict between the government and the Opposition, and between the government and Labour rebels. In relation to Blair’s defeat over 90-days detention, the press used

it as a springboard to undermine Blair's leadership more generally, and to portend his imminent demise. There were also references to Blair's abuse of power, especially his influence in persuading the police to lobby MPs on behalf of the government. In the main, there was also little support for the glorification of terrorism clause, which was criticised as being vaguely drawn, as well as being politically motivated – viz., to appease public opinion.

The most prevalent theme or depiction in relation to the civil liberties frame was the impact of the glorification of terrorism clause on freedom of expression, with the 90-days detention clause criticised for compromising habeas corpus and ancient legal rights in general. There was also substantial focus on the triumph of Parliament in curtailing the 90-days detention measure, with much of the press perceiving Blair's defeat in the Commons as a direct threat to his premiership. The *Times*, the *Guardian* and the *Daily Mail* also touched on how the measures might increase the risk of terrorist attacks, believing that the 90-days detention and glorification clauses could alienate Muslims further.

In relation to the security frame, the legislation was depicted as safeguarding fundamental rights and freedoms. There were also instances where the government's defeat in Parliament was seen as a negative development, with the Opposition defined as illogical and unpatriotic. Moreover, those opposed to the Bill were portrayed as jeopardising national security, as well as being out of touch with the electorate. All of these themes had most expression in the *Sun*.

6.5 Editorial and Commentary Standpoints

This section focuses on the overt ideological direction of each newspaper, as expressed in the editorials and commentary pieces.

Daily Telegraph: As expected, the *Daily Telegraph's* coverage reflected its traditional anti-Labour government stance. In its first editorial coverage of the TA 2006, the *Daily Telegraph* focused on the tension between the government and the judiciary, declaring each to be lacking in some regard. Using the Stansted hijacking case, where a group of Afghans had hijacked an aeroplane to escape the Taliban, the editorial criticised the reluctance of judges to repatriate foreign nationals. It went on to state that 'judges are answerable to nobody' and that Blair only has himself to blame, as 'it was he who pushed through the Human Rights Act, which gave judges the power (and, indeed, the duty) to overturn any law that they thought incompatible with the ECHR' (13 October 2005, p. 19).

On the glorification of terrorism clause, the *Daily Telegraph* asserted that 'British traditions of liberty, free speech and freedom of thought are all ridden over roughshod by this measure' (16 February 2006, p. 23). The editorial on 4 November 2005 urged parliament not to back the Bill, declaring that the glorification clause would be impossible to police. Furthermore, referring to Cherie Blair's 2002 comment in which she apparently expressed sympathy for

Palestinian suicide bombers, the editorial sardonically declared that, under the new law her statement would be deemed a criminal offence.⁸⁷

The alleged discord between Blair and Clarke on the 90-days detention clause is also emphasised, with the *Daily Telegraph* claiming that Clarke believed it to be too long (4 November 2005, p. 23). Another editorial focused on Blair's first defeat in the Commons, declaring that 'Blair has, finally, lost the power to get his agenda into law' (10 November 2005, p. 23). It goes on to warn that, if he wishes to remain in Number Ten, then he will have to stop behaving 'like a self-appointed despot' (Ibid.).

The editorial on 11 November 2005 criticised New Labour for encouraging the police to lobby MPs on their behalf, arguing that this was a blatant abuse of executive power. The overarching theme of the editorial was the role of New Labour in blurring the lines of distinction between the government and state institutions, claiming that the police and the civil service have now 'come under the influence of politicians' (p. 23).

The Times: Whilst the previous terrorism legislative drives had gained broad support from the *Times*, its coverage of the TA 2006 was much more critical of the government's agenda. Camilla Cavendish's commentary on 13 October 2005 argued that 90-days detention was 'a leap too far' (p. 20). Calling on politicians to

⁸⁷ Speaking at a charity event in 2002, Cherie Blair said that, 'As long as young people feel they have got no hope but to blow themselves up you are never going to make progress' (*The Guardian*, 18 June 2002, p. 1). At the time, the right-leaning press were highly critical of Cherie Blair's statement, which she made shortly after a suicide bombing in Jerusalem. During the passage of the TA 2006 many of the newspapers made reference to Cherie Blair's 2002 statement.

be wary of agreeing to an extension of police powers, she reasoned that ‘over-repressive legislation will create resentment and help the enemy to breathe’ (Ibid.). In contrast, Dean Godson proclaimed that it was ‘unedifying to watch the Opposition cosying up to the Left and civil liberties lobby’ (3 November 2005, p. 21).⁸⁸ Godson goes on to state that he would put his trust in the judgement of the police and MI5 on matters of national security above that of the Law Lords and ‘the worst of the hard Left’ (Ibid.). However, whilst his opinion piece supported the measures proposed by the government, Godson suggested that the government needed to go further and ignore the ‘private compromises’ it had made ‘with the civil liberties lobby and the Muslim Council of Britain’ (Ibid.).

However, after his first parliamentary defeat, the *Times* pondered on what the future held for Blair. Editorially, the *Times* stated that Blair was wrong to ignore the advice of his Home Secretary, in which Clarke implored Blair to compromise on 90-days detention. It goes on to profess that privately the police had disclosed to the *Times* that operationally 42 days would have been sufficient. On this basis, the editorial accused Blair of ‘staging a show trial of strength’ for political ends, namely to satisfy public opinion. In its parting shot, the newspaper declared that Blair’s defeat proved that he was no longer invincible. (10 November 2005, p. 19). This theme was repeated in a commentary by Peter Riddell, in which he announced ‘Teflon Tony is dead’ (10 November 2005, p. 20), arguing that Blair should have compromised on the detention limit. Questioning how long Blair can hold on to his office, he warned that like ‘Margaret Thatcher’s departure 15 years

⁸⁸ cf. Polly Toynbee’s take on the alliance between the political Right and the Left below (*The Guardian*, 10 November 2005, p. 32).

ago, the end of the Blair era is likely to lead to arguments and divisions within his party' (Ibid.). The following day, David Aaronovitch contended that despite Blair being 'the most talented centre-left politician in the Western world' it was time for him 'to move on' because 'his luck, his time and his mandate have run out' (11 November 2005, p. 25).

On the glorification of terrorism clause, the *Times* defined it as 'glorifying nonsense', arguing that the measure is unlikely to work in practice. Instead, the interpretation of the law could mean that much time is wasted 'trying to prove cases of "glorification" that have no merit', which could ultimately 'deepen ethnic or religious rifts in some communities' (16 February 2006, p. 19).

The Guardian: In its opening editorial, the *Guardian* denounced the 90-days detention clause as 'too long', arguing that Clarke 'thought so too, before being overruled by Downing Street' (13 October 2005, p. 34). Whilst Seumas Milne warned that the 'panic measures' contained in the Bill would do little to fight terror, and instead would 'increase the likelihood of further attacks in Britain' (13 October 2005, p. 33).

Deliberations on Blair's first defeat in the Commons were mixed. Polly Toynbee warned that whilst 'Blair is reckless...Labour must not add to the damage', arguing that the 'dangerous coming together of right and left against the government' signalled a 'time for caution' (10 November 2005, p. 32).

Editorially, the vote against the 90-day detention clause was welcomed, but

advised that whilst Blair's 'strategy was an abnegation of good government', the support for Blair in the 'opinion polls and the tabloids' [which was almost exclusively from the *Sun*] should not be 'underestimated' (10 November 2005, p. 34). That said, it argued that the drafting of laws should not be overly influenced by public opinion or subject to the say-so of the police. Instead, government and parliament were responsible for the weighing up of one interest against another when it came to the rule of law, and concluded: 'The government conspicuously failed to do that. Parliament conspicuously succeeded. Yesterday was a good day for the parliamentary system' (Ibid.). The following day, the *Guardian* conceded that the government's defeat was not due to Blair's perceived 'loss of authority' but attributed to a 'failure of political judgement', which contained 'echoes from the past and warnings for the future' with the 'loudest echoes most obviously [arising] from the failed policy on Iraq' (11 November 2005, p. 38).

In its final editorial, the *Guardian* focused on the 'underlying problem' of the government's political response to terrorism, in which it argued that New Labour had become 'dangerously addicted to campaigning by legislating' and for using the terrorism threat for 'party advantage' (16 February 2005, p. 34). In its final analysis of the TA 2006, the *Guardian* criticised New Labour's predilection for using the legislature for message sending.⁸⁹

New laws are too quickly promised as a way of taking a public stand
rather than as a solution to a problem. Parliamentary votes then become, as

⁸⁹ Interestingly, Clarke touched on this subject whilst being interviewed for this research, in which he stated: 'There is an interesting question about the extent to which responding to a problem is best done by legislation. I think normally it is not best done by legislation, but sometimes there would be calls for legislation to try to deal with situations' (Interview with author, 4 February 2014).

Mr Blair put it yesterday, a way of sending a message (or not) rather than a means of addressing a lasting need. William Hague was not far wrong, in response, when he dubbed the anti-glorification clause a “press release law”. But the great irony - and perhaps the great injury - of this approach is that, far from calming the public mood about the genuine threats from Islamist terrorism and its apologists, it may provoke and exacerbate it.

(Ibid.)

Daily Mail: On the 90-days detention clause, the *Daily Mail* announced that whilst ‘no-one can argue with the need for the strictest possible measures to counter the terrorist threat’ that it felt ‘deeply uneasy about [the] measure’ (13 October 2005, p. 14). It goes on to argue that the measure not only ‘subverts one of the central pillars of a civilised society that people cannot be detained without charge’ but could end up feeding extremism and enticing ‘even more willing recruits to the cause’ (Ibid.). This argument was reaffirmed in its editorial of 27 October 2005, in which it stated: ‘This is an illiberal measure which will inevitably create political martyrs and fuel extremism’ (p. 14).

After Blair’s defeat in the Commons, the editorials and opinion pieces switched their focus to party politics. Stephen Pollard’s commentary argued that Blair should have made compromises over the detention limit, and that failure to do so meant that he should now ‘resign with dignity’ (10 November 2005, p. 6).

Similarly, an editorial published the same day, declared that Blair’s failure to secure the vote was a ‘major blow to his authority and credibility’ (10 November

2005, p. 14). For the *Daily Mail*, however, the most disturbing aspect of the whole affair was the police being ‘dragged into partisan politics’, in which it argued: ‘Having so grossly politicised the civil service, this Prime Minister has now done the same thing to the police’ (Ibid.). In contrast, the Opposition is praised for daring ‘to check the executive, on an issue with profound implications for civil liberties and human rights’ (Ibid.).

The Sun: Editorially, the *Sun* was emphatic in its support for the Bill. In reference to the government’s defeat over the 90-days detention provision, the *Sun* described the MPs who voted against the Bill as ‘traitors’ whose actions amounted to an ‘act of treachery’ and a betrayal of the country. The editorial goes on to argue that the ‘nation demanded greater protection – and deserved it...Holding suspects for twenty-eight days is simply not long enough...What’s more, MPs know it’. Moreover, it warns Conservative MPs that their ‘role in the treachery will not be forgotten, either’. It extolled Blair for doing the ‘right thing at the right time for this country’s security’, whilst his adversaries ‘deserted us’ (Ibid.). However, commentaries suggested that Blair needed to be tougher in his stance on countering terrorism, and echoed some of the arguments put forward by Dean Godson in the *Times*.

The Mirror: In its first editorial, the *Mirror* portrayed Clarke as amenable to compromises, whilst Blair was depicted as obdurate in his disregard for civil liberties and in forcing through draconian laws that nobody wanted, including many within his own party (4 November 2005, p. 6). On 10 November 2005, the

Mirror declared that the government's defeat over 90-days detention 'was a victory for Parliament, common sense and the great tradition of British justice' (p. 6). Blair was defined as arrogant and 'blind to reason' in his attempts to push the laws through parliament, with the *Mirror* comparing his scare tactics to those employed by George W. Bush in the war on terror. Despite Blair '[dragging] in senior police officers to strong-arm MPs', the *Mirror* praised the Opposition for '[behaving] with principle' in rejecting the proposal (Ibid.). A sentiment, it reminded its readers, was rarely printed in its newspaper. Another editorial announced that its poll had found that nearly half of its readers wanted Blair to resign. Despite this, the *Mirror* rallied its support behind Blair continuing as leader on the condition that he 'listen to other opinions and work with his own party – and, on security, with the opposition' (11 November 2005, p. 6).

6.6 Summary

This chapter has analysed the press coverage of the passage of the TA 2006, and with the exception of the *Sun*, found that there was a substantial focus on party politics across all of the newspapers. Security issues had the least representation across the sample, whilst civil liberty concerns were prominently featured in the *Daily Telegraph*, the *Guardian* and the *Daily Mail*. Unlike the previous case study, the *Mirror* mainly focused on the political machinations rather than civil liberty perspectives. Whilst the *Sun* continued its hitherto support for the government agenda.

As with the previous case studies, the broadsheets devoted more copy to the debates than did the tabloids. However, all of the newspapers included front page coverage. As with the 2005 Act, there was a much higher prevalence of editorials and feature articles across the newspaper spectrum than in the 2001 case study. The passage of the Bill took place over several months, with one of the most newsworthy events being Blair's first defeat in the Commons, in which Parliament voted against the 90-days detention measure. Consequently, much of the press analysis focused on Blair's 'uncertain' future in politics.

Unsurprisingly, elite sources dominated the parameters of debate, with government sources appearing the most, followed by Conservative MPs and Labour rebels respectively. The lack of citations from civil liberties and Muslim rights campaigners was also a continuing trend. However, as with the 2005 case study, whilst unattributed, their main points of concern were widely represented. Proportionately, both pro-legislation and anti-legislation sources gained equal representation, with each accounting for nearly half of all citations. Like the 2001 case study, the majority of the reporter tone was defined as straight, with the majority of reinforcing comments reserved for anti-legislation sources, and deflating comments for pro-legislation sources.

Although government sources dominated the debates, the evidence suggests that they had limited influence over the news agenda, which again, runs contra to the government-driven hypothesis. Instead, at an aggregate level, the evidence lends greater support for the independent model. However, there is also evidence that

some sections of the press, namely the *Daily Telegraph*, the *Guardian* and the *Daily Mail* did subject the legislation to more robust scrutiny, and thus, to some degree, fulfilled their role as political watchdogs. This, then, supports the oppositional model. Moreover, the framing of the debates suggests that, even when the country was reeling from the 7/7 attacks, the press maintained its adversarial role and refused to bow to populist sentiment. Indeed, during the passage of the Bill, several opinion polls showed significant public support for the government's proposals. The security-centric coverage in the *Sun*, on the other hand, did reflect populist sentiment, and thus in this particular case, reinforces the government-driven thesis.

CHAPTER 7

THE COUNTER-TERRORISM ACT 2008

Two and a half years after the TA 2006 received the Royal Assent, the government of Gordon Brown introduced the Counter-Terrorism Act 2008 (hereafter referred to as CTA 2008). Unlike the previous three Acts, which had been drafted in response to a specific set of circumstances, the CTA 2008 was not triggered by a particular event. Notwithstanding the terrorist attack on Glasgow International Airport on 30 June 2007, which mercifully did not result in any civilian deaths, the UK had not succumbed to a major terrorist attack since 7/7.⁹⁰ Instead, the CTA 2008 contained the counter-terrorism measures pledged by Blair during the 2006 Queen's Speech, and thus, the 'motivating themes' behind the 2008 legislation were distinctly 'familiar' (Walker, 2009: 31). Drawing on its previous justifications for creating new terrorism laws, the Brown government announced that the legislation was being forged because of the 'unprecedented threat from terrorism in this country' against which it was 'determined to take

⁹⁰ Bilal Abdullah, who was born in Britain but raised in Iraq, and Kafeel Ahmed, who was born and raised in India, carried out the attack. They drove a jeep loaded with propane gas into the doors of the terminal building, but the jeep became stuck in the entrance. Although the jeep had caught fire, it failed to explode. Ahmed was severely burnt in the attack and later died of his injuries, whilst Abdullah was found guilty of conspiracy to murder and sentenced to life imprisonment. The Glasgow airport attack was believed to be connected to a terrorist incident in London the previous day, where police had managed to disable two car bombs that were set to detonate near a nightclub.

whatever action is necessary to protect the public from future attacks' (Home Office, 2008).

Whilst the Blair government was accused of politicising terrorism for party political ends, in the early days of Brown's premiership, some critics argued that Brown, and his Home Secretary, Jacqui Smith, represented a more moderate force in the war on terror (Hewitt, 2008: 123).⁹¹ One example of this was the government's 'low-key response' to the Glasgow Airport attacks, in which it sought to 'portray the terrorists as criminals to deny them greater power and credibility', and thus downplay the association between Muslims and terrorism (Ibid.).⁹² However, previous policies enacted under the rubric of the 'war on terror' had arguably had a destabilising impact on community cohesion. Indeed, a number of studies have looked at the impact that New Labour's post-9/11 counter-terrorism policy has had on Muslim communities with many of these concluding that the entwinement of Islam with terrorism, alongside the discriminatory nature of the policies themselves, had resulted in the construction of 'suspect communities' (see, for example, Choudhury & Fenwick, 2011; McGovern &

⁹¹ Indeed, as discussed elsewhere, both the press and the Opposition accused Blair of using the terror threat for party political ends, with many critics arguing that the war on terror was continuously evoked to justify the government's draconian terrorism laws. Pantazis and Pemberton (2009) provide an interesting discussion on New Labour's disuse of the 'war on terror' discourse during Brown's premiership – the change is not only viewed as a means of distinguishing himself from Blair, but also as a way of winning back the 'hearts and minds' of an increasingly disillusioned Muslim population. Another reason proposed was the role of the EU in pressuring the UK to moderate its language on Islamist terrorism.

⁹² Jacqui Smith had only been at the Home Office a few days prior to the Glasgow Airport attack. Interestingly, Smith thought that the depiction of her in the press as 'calm and reassuring' was not meant as 'high praise', but rather an intimation that she 'managed to stay standing for two days and say something intelligent' and not 'run hysterically out of Number Ten' declaring that she could not cope (Interview with author, 5 March 2014).

Tobin, 2010; Nickels et al., 2010; Pantazis & Pemberton, 2009; and Rehman, 2007).

Government concerns over the radicalisation of disaffected Muslim youths were heightened after 7/7, leading to renewed efforts to win back the ‘hearts and minds’ of the Muslim population. Launched in April 2007, the Prevent programme, a strand of the government’s CONTEST strategy, outlined ‘a range of concrete actions by which the Government [would] work with mainstream Muslim organisations to tackle violent extremism’ (DCLG, 2007: 12).⁹³ Despite considerable financial and organisational resources, critics have argued that the Prevent programme has largely failed to win over the Muslim community. Research carried out by the Institute of Race Relations found that the Prevent programme had actually ‘fuelled local tensions...as different groups wrestle with the issue of whether to engage with the programme, often in the face of strong pressure from local authorities to accept money and strong pressure from the community to refuse it’ (Kundnani, 2009: 25). Moreover, many Muslim organisations have been suspicious of the government’s motives, with those groups deemed as ‘moderates’ and sympathetic to the government agenda being offered considerable financial incentives.⁹⁴ As Kundnani reasoned: ‘The danger is that the distinction between “moderate” and “extremist” is flexible enough to be

⁹³ Around the same time, the Home Office established the Office for Security and Counter-Terrorism (OSCT), which had overall responsibility for the CONTEST strategy, and was formed to coordinate the efforts across various government departments.

⁹⁴ Joint interviews carried out in 2010 by Professor Jon Silverman and the author for another research project supports this assertion. For example, Dr Daud Abdullah, the former deputy secretary general of the Muslim Council of Britain, Douglas Murray, director of the Centre for Social Cohesion, and Robin Richardson, former director of the Runnymede Trust, made parallel claims. However, Quilliam, one such organisation to have received considerable funding from the government, refuted claims that they acted as a ‘mouthpiece’ for the government.

exploited by government to marginalise those who are critical of its policies’ (Ibid.: 35).

Early suggestions that Brown’s premiership would ‘denote a new approach to the politics of security’ were ephemeral (Pantazis & Pemberton, 2012: 653). Indeed, to many critics, Brown simply continued the Blairite strategy of using the policy agenda for party political purposes (Ibid.), and was largely successful in ‘[outflanking] the Tories (apparently all hug-a-hoodie and no-to-id-cards) on crime and security issues’ (Bale, 2010: 320). Thus, Brown’s original intent to renew government efforts to win back the ‘hearts and minds’ of the Muslim community were trumped by the impetus to win the next general election.

This chapter focuses on how the British press reported the CTA 2008. Before presenting the findings of the quantitative and qualitative content analyses of the news content, it provides an overview of the key provisions contained in the Act, as well as the different standpoints of the key actors involved in the debates. The key actors being the government, the political opposition, members of the House of Lords, as well as the police and security services, and to a lesser extent, civil liberties and Muslim interest groups. In terms of the news content study, the chapter has been organised as follows: firstly, it details the quantitative findings, which include the level of press attention devoted to the Bill and the key sources that shaped the news agenda. Secondly, it discusses the findings of the framing analysis, specifically looking at how the media framed the policy debates as well as the editorial responses of particular newspapers. The chapter concludes with a

consideration of the overall performance of the press, with special reference to the theoretical arguments discussed in previous chapters. To underpin particular points of discussion, this chapter also draws on some of the insights gleaned from the interview with the then Home Secretary, Jacqui Smith, conducted by the author on 5 March 2014.

7.1 Background to the CTA 2008

The reasoning behind Brown's appointment of Jacqui Smith, the first female Home Secretary, can only be speculated. Smith, however, surmised that her appointment might have been a means to present an alternative image of New Labour, especially in terms of demarcating the Brown government from the war on terror rhetoric of the Blair era. Referring to the machismo that existed in the Home Office prior to her arrival, Smith made the following deduction on the impetus for her promotion to Brown's Cabinet.

It wasn't just about the role of Home Secretary, it was because obviously he [Brown] wanted a woman in a senior job within the government...I think that there was probably a slight feeling particularly of course with John Reid immediately before me, that it was all a bit macho in the Home Office. So, I think there might have been a feeling that it was a good idea to change that type of feel both in relation to the Home Office, and in relation to crime and terror policy.

(Interview with author, 5 March 2014)

In terms of Brown's interest in Home Office policy, like Blair (from 2005 onwards), Brown 'was interested and concerned with the counter-terrorist stuff', but did not devote much attention to 'the rest of the work of the Home Office' (Ibid.). The other exception being on issues relating to knife crime, which, Smith asserted was 'directly influenced by media coverage of stabbings' (Ibid.).

As with Blunkett and Clarke, Smith was fully aware of the importance of message sending during the counter-terrorism campaign, as she explained: 'We tried to get that type of message [out] about both the potential threat and what we believed were the safeguards around the policy that we were proposing. So there was quite a lot of work that was done in explaining that to the press' (Ibid.). Although her media adviser did most of the front-line media-relations work, during the furore over '42-days', Smith agreed to just one print interview (with Matthew d'Ancona for the *Spectator*), 'explicitly with the intention of getting the case over through that particular interview' (Ibid.). However, she did not believe that the press had much sway in shaping parliamentarians thinking on the legislative issues. As Smith reasoned:

Probably what had more of an impact was what people had felt and thought the last time they'd gone through it – in terms of the 90 days stuff. So I think probably people were more dependent for their views on the media the first time round than they were the second time round. Because the second time round I think they sort of thought, well we know what we thought last time, and what we were worried about last time, and we want to see to what extent that applies this time as well.

(Ibid.).

That said, Smith believed that more generally, the press had significant influence over political debate. This was especially the case during her tenure as Home Secretary, where many of the issues she dealt with were ‘very salient to the public’, as well as to the press (Ibid.). Indeed, during the policymaking cycle, the press had an important function in communicating government policy to the public, and therefore Smith was acutely aware of the importance of trying to get the policy objectives ‘communicated properly’ or indeed ‘communicated at all’ (Ibid.). Consequently, Smith admitted that it was inevitable that she reacted to criticism in the press, as it was the issues highlighted in the press that constituents would refer to on the doorstep or in surgery (Ibid.).

Regarding the sway of particular newspapers, Smith singled out the *Times*, the *Daily Mail* and the tabloids (chiefly the *Sun*, the *Mirror*, and their corresponding Sunday titles) as being of most concern in terms of the issues she was dealing with. Whilst the *Guardian* was perceived as being a significant force during her appointment as Minister for Schools, Smith admitted that she had ‘written off’ its opinions on matters of security. On trying to reconcile criticism from some sections of the press that the government’s policy agenda was imperilling civil liberties, alongside contrasting criticisms relating to the government’s obligations under the ECHR, Smith conceded that it was an impossible dilemma. However, on assessing the mood of the press on terrorism policy, she admitted: ‘if the

Guardian was saying that what we were doing was a hideous encroachment on people's human rights, and if the *Daily Mail* thought that what we were doing was weak and kowtowing to the ECHR, then you were probably in just about the right place' (Ibid.).

Ultimately, Smith maintained that, on the 42-days issue, the government was more concerned with public sentiment (which was 'wholly supportive of what we were trying to do'), than the sentiments of the press (Ibid.). Interestingly, Smith's overall view of the press during the passage of the CTA 2008 chimed with the findings presented in this chapter, viz. the majority of the press devoted a significant amount of attention to party political issues, above that of civil liberties and security concerns. As Smith asserted:

The press are far more interested in a story about political division than they are about the difficult issues, and the contradictory positions and the problems and the balances that you need to find in order to deliver a good counter-terror policy. I think they were far more interested in, "Is Gordon Brown going to win or lose?"...What does this mean for a Labour government?" – Than they were in, "why are they trying to do this? What bits have they got right, what bits have they got wrong?" Certainly when we got into the real meat of the Bill and the trying to get it through, that was far more, what the press were interested in.

(Ibid.)

Indeed, she cited the Christopher Galley episode as an illustration of her argument. Galley, a junior Home Office civil servant, leaked several Home Office documents to the Conservative MP, Damien Green. Among these was a list of potential Labour rebels who might vote against the 42-days detention plan, along with other material relating to the counter-terrorism policy. However, as Smith noted:

[Whilst Galley] had access to a whole load of stuff which also related to the policy, and as far as I know probably nicked that and leaked that as well...the [press] were far more interested in the details of which MP would or would not vote for the government...than they were about what thinking had gone into the policy in the first place.

(Ibid.)

Even before the counter-terrorism Bill had been introduced to parliament, some of the speculated proposals had been met with stiff opposition. One area in which the government had failed to achieve cross-party consensus was on extending the pre-charge detention limit. However, there was support from the Opposition (as well as the press and civil liberties groups) for the use of alternative measures, such as the use of intercept evidence in court and post-charge questioning. In February 2008, the 'Privy Council Review of intercept as evidence' published its report on the implications of using intercepted material in terrorism cases. The Review concluded that it '[agreed] with the principle that intercept as evidence should be introduced', with the proviso that the legal framework in which it operates was

‘ECHR compatible’ (Privy Council Review, 2008: 48). However, the measure was later dropped from the Bill.⁹⁵ A move that was welcomed by the security services who objected to the proposal because it could expose the inner workings of their investigations and thus compromise operations.

The Bill, as it was introduced in the Commons on 24 January 2008, contained the following proposals:

- An extension to the pre-charge detention of terrorist suspects from 28-days to 42-days in exceptional circumstances;
- A provision to enable the post-charge questioning of terrorist suspects;
- Enhanced sentences for terrorism-motivated general offences;
- A provision to strengthen the monitoring arrangements for convicted terrorists and to prevent them from foreign travel;
- A provision to ensure full use can be made of DNA in terrorism investigations.

(Home Office, 2008)

The ‘42-days’ provision gained considerable support from senior members of the police and from the independent reviewer of terrorism legislation, Lord Carlile. Speaking at a Home Affairs Committee on the Government's counter-terrorism proposals in October 2007, the Met Commissioner, Sir Ian Blair, the Met

⁹⁵ Although an amendment was made to the Regulation of Investigatory Powers Act 2000 (RIPA) that allowed for the use of intercept evidence in certain instances, e.g. the freezing of assets in terrorism cases.

Assistant Commissioner, Bob Quick, and the President of ACPO, Ken Jones, claimed that the current 28-day detention limit was inadequate for the complexity of modern terrorism cases (Home Affairs Committee, 2007). During the debates around the Bill, the police also took on a much higher media profile, in which statements promoting their support for '42-days' became commonplace in the press. In May 2008, the government was accused of politicising the police when it was revealed that the Police Minister, Tony McNulty had requested Bob Quick to provide a briefing to MPs on the reasons behind police support for '42-days'.

Although, opinion polls suggested that the measure had extensive support amongst the public, the Bill faced widespread opposition in parliament. Indeed, faced with losing the vote, Brown made several deals with the Democratic Unionist Party (DUP) in order to secure the extra votes needed. The government won by just nine votes. Headlines in the press savaged Brown over his alleged deal with the DUP – where inducements were said to include increased financial provisions for Northern Ireland – charges which Brown denied. The following day, the Shadow Home Secretary, David Davis, resigned in protest 'against the slow strangulation of fundamental British freedoms by this government' (*Guardian*, 13 November 2008: 4).⁹⁶ Despite the win in the Commons, the '42-days' plan was eventually overturned in the House of Lords, forcing Smith to draft a reserve Bill that would increase the pre-charge detention limit for use in exceptional circumstances.

⁹⁶ However, pundits questioned the motivation behind Davis' resignation, especially as the Conservative Party shared his disquiet over the provision. For many commentators, the move was more damaging to David Cameron's leadership standing than it was to the government.

7.2 Press Attention

This section presents the results of the quantitative part of the news content study. For ease of reference, Table 7.1 illustrates the progression of the CTA 2008 with the corresponding newspaper sample dates, and spans the period between 24 January 2008 (the day the Bill was first introduced) and 27 November 2008 (the day after the Bill gained the Royal Assent).

Table 7.1 Progression of the CTA 2008 with corresponding newspaper sample dates (24 January 2008 – 26 November 2008)

PROGRESSION OF ACT	NEWSPAPER SAMPLE DATES
<i>HC first reading:</i> 24 January 2008	25 January 2008
<i>HC second reading:</i> 1 April 2008	2 April 2008
<i>HC committee stage:</i>	
22 April 2008	23 April 2008
24 April 2008	25 April 2008
29 April 2008	30 April 2008
6 May 2008	7 May 2008
8 May 2008	9 May 2008
13 May 2008	14 May 2008
15 May 2008	16 May 2008
<i>HC report stage:</i>	
10 June 2008	11 June 2008
11 June 2008	12 June 2008
<i>HC third reading:</i> 11 June 2008	
<i>HL first reading:</i> 12 June 2008	13 June 2008
<i>HL second reading:</i> 8 July 2008	9 July 2008
<i>HL committee stage:</i>	
9 October 2008	10 October 2008

13 October 2008	14 October 2008
15 October 2008	16 October 2008
21 October 2008	22 October 2008
<i>HL report stage:</i>	
4 November 2008	5 November 2008
11 November 2008	12 November 2008
<i>HL third reading:</i> 17 November 2008	18 November 2008
<i>HC consideration of Lords amendments:</i>	
19 November 2008	20 November 2008
<i>HL consideration of Commons amendments:</i>	
24 November 2008	25 November 2008
<i>Royal assent:</i> 26 November 2008	26 November 2008
	27 November 2008
	TOTAL: 24 days

As with the previous three case studies, the broadsheets devoted more coverage to the CTA 2008 than did the tabloids. However, there was a closing of the gap between the *Daily Mail* with 10,723 words (21 articles) and the *Daily Telegraph* (27 articles) and the *Times* (33 articles) in terms of the word count, with the two broadsheets only producing a third more coverage, 15,773 and 16,289 words respectively. The *Guardian* produced the most copy, devoting 23,533 words (39 articles) to the passage of the Bill, whereas the redtops produced the least coverage, with the *Mirror* devoting 5,509 words (19 articles) and the *Sun* 5,588 words (23 articles). Figure 7.1 provides an illustrative representation of the number of words each newspaper devoted to the passage of the Bill, and Table 7.2 shows the number of words and total number of articles per newspaper.

Figure 7.1 Words devoted to the CTA 2008 by newspaper

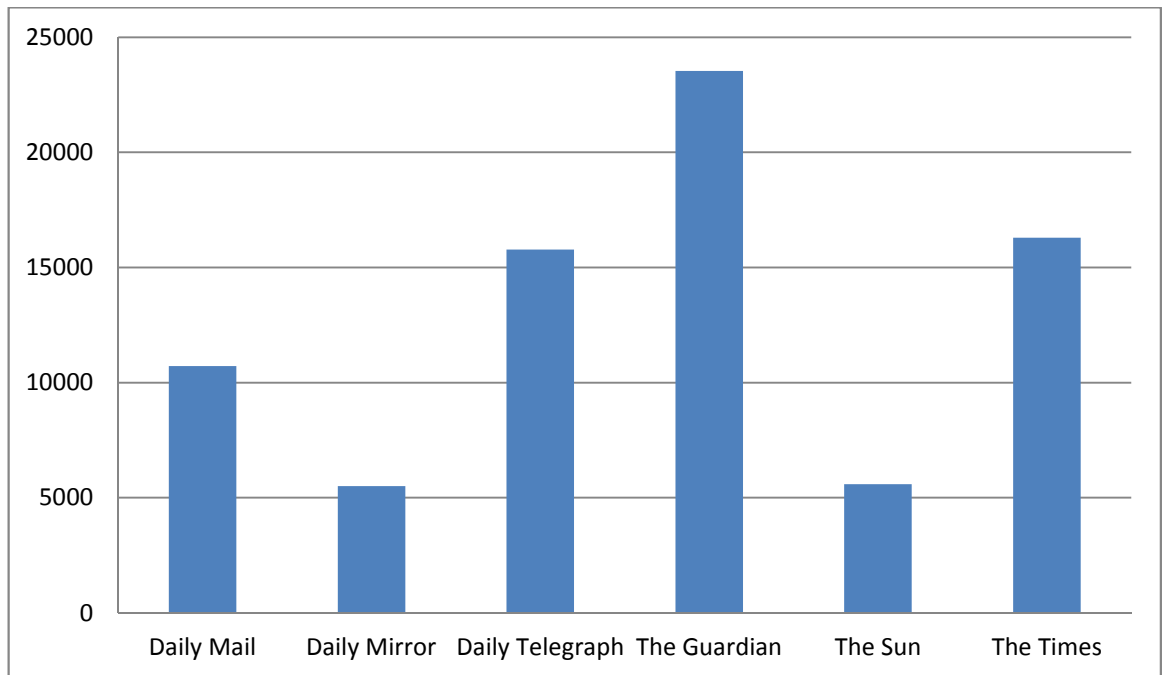


Table 7.2 Total number of words and articles devoted to the CTA 2008 per newspaper

Newspapers	Total Words	N Articles
<i>Daily Mail</i>	10,723	21
<i>Daily Mirror</i>	5,509	19
<i>Daily Telegraph</i>	15,773	27
<i>The Guardian</i>	23,533	39
<i>The Sun</i>	5,588	23
<i>The Times</i>	16,289	33
Total	77,415	162

Figure 7.2 shows a timeline of the number of articles that appeared in each newspaper over the duration of the passage of the Bill. In terms of which issues garnered the most attention, the most notable peaks in media interest occurred on 12 June 2008 (41 articles) and on 13 June 2008 (43 articles), and to a lesser extent on 11 June 2008 (23 articles) and 14 October 2008 (16 articles). These dates

corresponded respectively with the second day of the Commons report stage on 11 June 2008, the Lords first reading on 12 June 2008, the first day of the Commons report stage on 10 June 2008, and the second day of the Lords committee stage on 13 October 2008. On 11 June 2008, the newspaper coverage speculated on how the Commons would vote over the 42-days detention provision, whilst coverage on 12 June 2008 dealt with the outcome of the vote. However, in regards to the higher output on 13 June, this was principally due to the resignation of the Shadow Home Secretary, David Davis. Coverage on 14 October 2008, dealt with the government's defeat in the House of Lords over its 42-days detention plan. There was no coverage of the Bill after 14 October 2008 in any of the newspapers.

Figure 7.2 *Number of articles appearing in all newspapers over the sample period (24 January 2008 – 26 November 2008)*

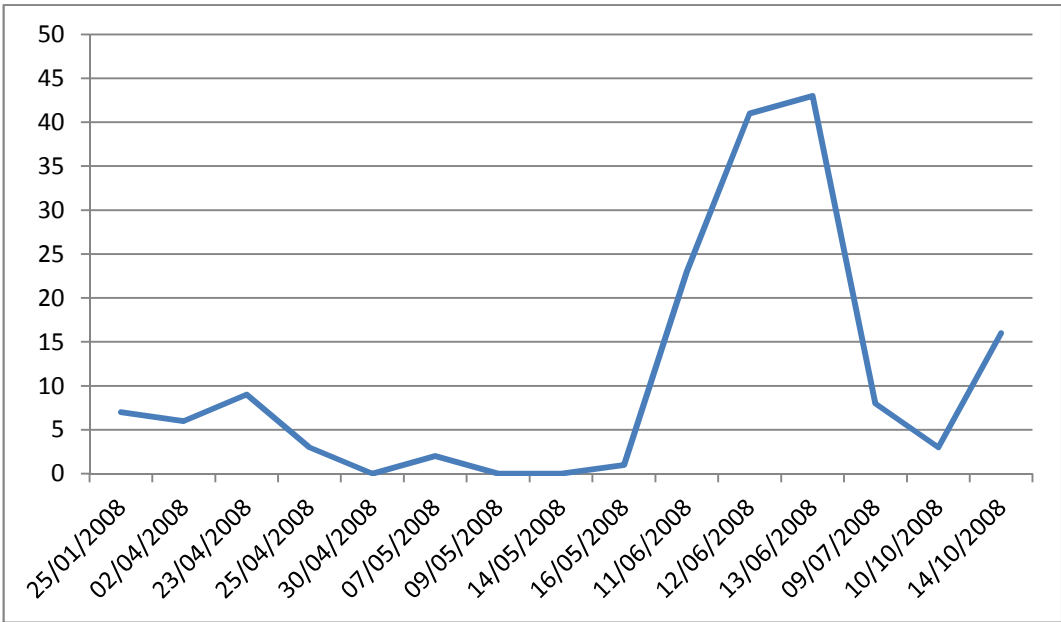


Table 7.3 shows the story location of news items by newspaper. In terms of story location, all of the newspapers included front page coverage of the policy debates, with the *Guardian* and the *Times* producing the most front page copy, with five front pages each. This was followed by the *Daily Telegraph* and the *Sun* with three front pages, whilst the *Mirror* devoted two and the *Daily Mail* just one. On 12 June 2008, the newspapers focused on Brown's Commons win over 42-days detention, with most of the newspapers declaring that 'Brown buys off 42-day rebels' (*Daily Mail*). The *Sun*, on the other hand, did not mention the alleged deal, and framed the victory in triumphant terms: 'Phew! Labour Terror vote win for PM' (*Sun*). All of the newspapers, with the exception of the *Daily Mail*, devoted front page coverage to the resignation of David Davis, with most of the headlines focusing on the 'Tories in turmoil' (*Mirror*). On 14 October 2008, the attention was on the Lord's vote against 42-days, which procured front-page headlines in the *Guardian*, the *Times* and the *Sun*.

Table 7.3 Story location by newspaper (CTA 2008)

Newspaper	Front Page	Inside Pages	Feature	Editorial	Total
<i>Daily Mail</i>	1	16	1	3	21
<i>Daily Mirror</i>	2	10	3	4	19
<i>Daily Telegraph</i>	3	16	5	3	27
<i>The Guardian</i>	5	22	8	4	39
<i>The Sun</i>	3	13	3	4	23
<i>The Times</i>	5	22	2	4	33
Total	19	99	22	22	162

Table 7.4 shows the format of the news items. With the exception of the *Guardian*, the most dominant format across the newspaper spectrum was hard

news. However, there was a higher prevalence of background pieces in some of the newspapers than in the previous case studies, with the *Guardian* including 12 items, the *Daily Mail*, five and the *Daily Telegraph*, four. Similarly, all of the newspapers included a high frequency of feature articles, with the *Guardian* containing 11, the *Daily Telegraph*, 10 and the *Times*, eight. Out of the tabloids, the *Sun* included eight features, with the other two titles including five each. There was an even spread of editorials across the newspapers, with the *Daily Mail* and the *Daily Telegraph* including two, and the rest of the newspapers four apiece.

Table 7.4 Article format (CTA 2008)

Newspaper	Hard News	Background	Editorial	Feature	Total
<i>Daily Mail</i>	8	5	3	5	21
<i>Daily Mirror</i>	8	2	4	5	19
<i>Daily Telegraph</i>	10	4	3	10	27
<i>The Guardian</i>	12	12	4	11	39
<i>The Sun</i>	10	1	4	8	23
<i>The Times</i>	20	1	4	8	33
Total	68	25	22	47	162

Table 7.5 shows the type of author. Staff writers and regular columnists wrote the majority of articles. Four of the newspapers included pieces by guest opinion writers, with the *Daily Telegraph* publishing an opinion piece by David Davis on his reasons for resigning as shadow home secretary. The *Guardian* included two guest pieces, one by Garry Hindle, the head of security and counter-terrorism at the Royal United Services Institute (RUSI), and another by the human rights expert, Conor Foley. Whilst the *Mirror* included a piece by Shami Chakrabarti,

the Director of Liberty, and the *Sun* an article by Lord Carlile, the Independent Reviewer of Terrorism Legislation.

Table 7.5 Type of Author (CTA 2008)

Newspaper	Staff News	Regular Opinion	Guest Opinion	Editorial	Not Stated	Total
<i>Daily Mail</i>	9	5	-	3	4	21
<i>Daily Mirror</i>	7	4	1	4	3	19
<i>Daily Telegraph</i>	13	9	1	3	1	27
<i>The Guardian</i>	20	9	2	4	4	39
<i>The Sun</i>	13	3	1	4	2	23
<i>The Times</i>	16	7	-	4	6	33
Total	78	37	5	22	20	162

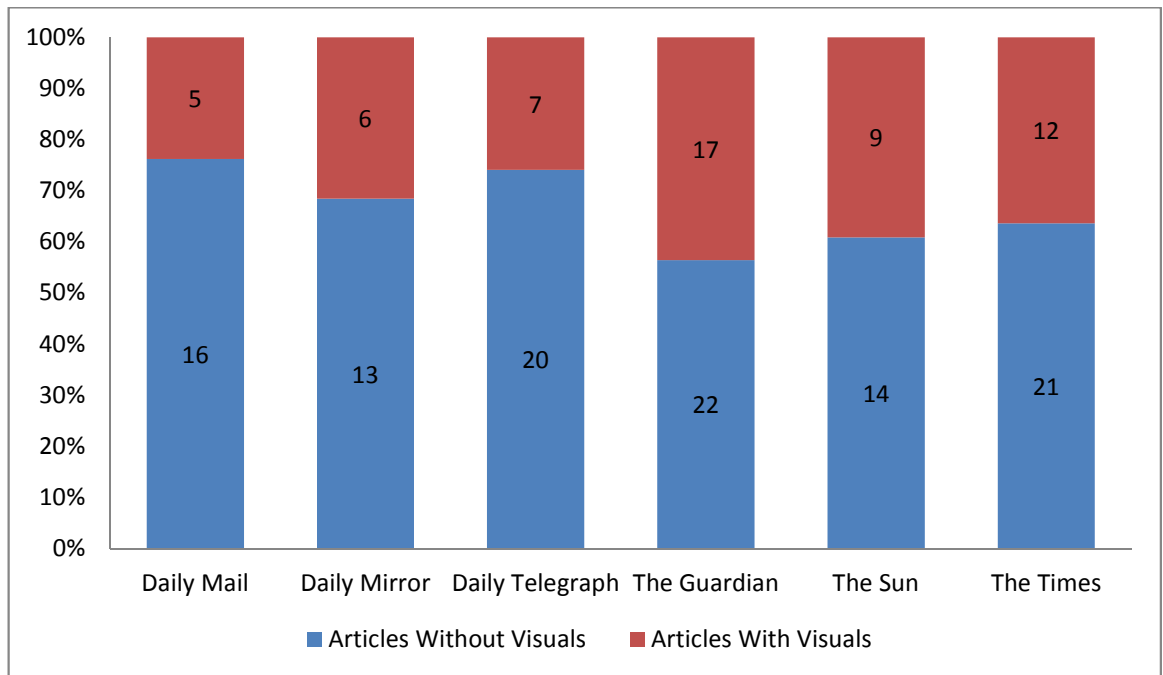
Table 7.6 shows the number and type of visuals that appeared in each newspaper. The most prevalent visual type was Conservative MPs, accounting for over a third of all images across the newspaper sample. Again, this can be attributed to the intense coverage of David Davis' resignation. This was followed by visuals of Gordon Brown, the police and stock images. Jacqui Smith had few appearances by comparison. As with the previous case studies, images did not tend to be used to emphasise the textual content or to connote particular frames. Captions also tended to be informative rather than used as a means to anchor a preferred meaning.

Table 7.6 Number and type of visuals per newspaper (CTA 2008)

	DT	Times	Guard	Mail	Sun	Mir	Total
Visual Type							
Brown	1	1	1	1	2	3	9
Smith	-	1	1	-	1	1	4
Gov. Minister	-	-	-	1	-	-	1
Con MPs	6	5	4	3	6	4	28
Lab Opp MPs	-	-	1	-	1	1	3
LibDem MPs	-	-	-	-	1	-	1
Peers	-	1	1	-	-	-	2
Police	-	1	1	3	2	1	8
DPP	-	-	1	-	-	-	1
Campaigners/ protestors	-	-	1	-	1	-	2
7/7 aftermath or victims	-	-	-	-	3	-	3
Cartoon	2	1	2	-	1	-	6
Graphic	1	3	1	-	-	-	5
Stock Image	-	3	3	-	2	1	9
Total	10	16	17	8	20	11	82

Figure 7.3 shows the ratio of articles that contained images. At an aggregate level, only a third of all articles included visuals. The *Daily Mail* and the *Daily Telegraph* provided the fewest images, with three quarters of the articles not accompanied by visuals, whereas the *Guardian* had the most articles with accompanying visuals.

Figure 7.3 Percentage of articles with accompanying images (CTA 2008)



7.3 The Primary Definers of the News Agenda

As expected, elite sources dominated the parameters of debate. However, unlike the other three case studies, on this occasion the Conservative Party was the most dominant source group, with 89 appearances (155 paragraphs), constituting 27 percent of all actor appearances, and a 32 percent share of all paragraphs devoted to source citations. The Conservatives were closely followed by the government (Downing Street, the Home Office and Labour MPs), who appeared 87 times (108 paragraphs), accounting for just under 27 percent of all source appearances and a 23 percent share of all paragraphs devoted to source citations. Again, there was a break with previous case studies when it came to the civil liberties groups (but not the Muslim advocacy groups), who, whilst still noticeably underrepresented, did

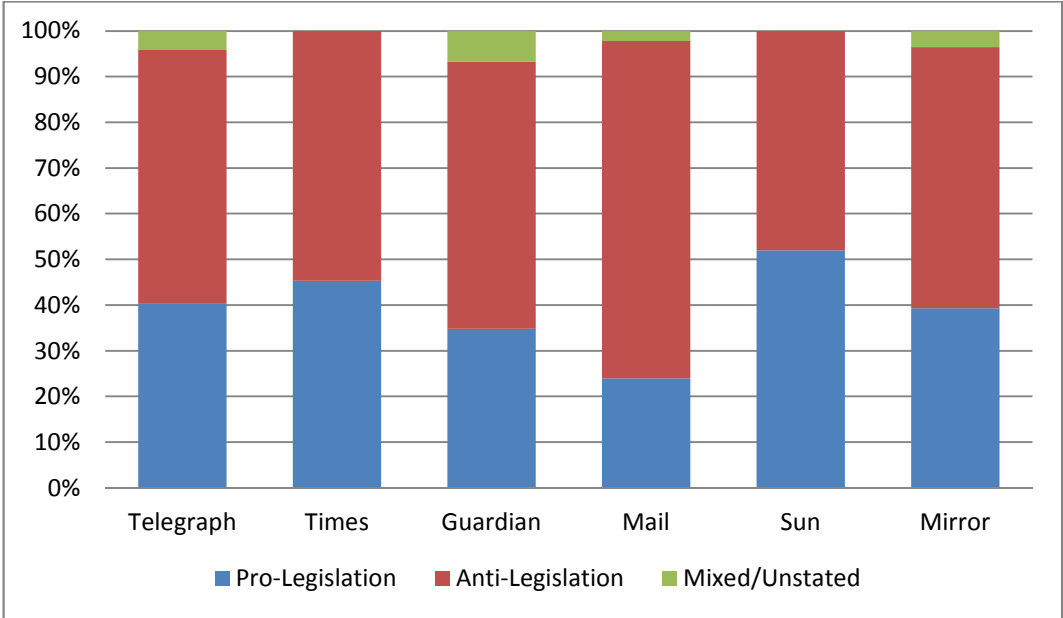
have a slight increase in terms of source appearances. Indeed, in terms of frequency of appearance they had equivalent representation to Labour rebels and the police, and greater representation than the Liberal Democrat Party. All titles included at least two citations from civil liberties sources, with the *Times* and the *Guardian* including four apiece, and the *Daily Mail*, three citations. Table 7.7 shows the frequency of appearance and total paragraphs devoted to all source citations.

Table 7.7 Frequency of appearance and total paragraphs devoted to direct and indirect source citations (CTA 2008)

Source	DT <i>n</i> (Pars)	Times <i>n</i> (Pars)	Guard <i>n</i> (Pars)	Mail <i>n</i> (Pars)	Sun <i>n</i> (Pars)	Mir <i>n</i> (Pars)	Total <i>n</i> (Pars)
Civil Lib	2 (2)	4 (4)	4 (5)	3 (4)	2 (5)	2 (3)	17 (23)
Con Party	19 (25)	21 (32)	18 (33)	15 (42)	9 (15)	7 (8)	89 (155)
Con Peers	3 (3)	3 (4)	3 (3)	2 (2)	1 (1)	1 (2)	13 (15)
Con Opp	-	1 (1)	-	-	-	-	1 (1)
Downing St.	5 (5)	6 (7)	8 (9)	2 (3)	3 (4)	3 (4)	27 (32)
Home Office	9 (11)	7 (7)	10 (12)	5 (9)	4 (8)	5 (6)	40 (53)
Lab Party	3 (3)	5 (6)	7 (9)	2 (3)	1 (1)	1 (1)	19 (23)
Lab Peers	6 (8)	3 (4)	10 (18)	2 (4)	-	1 (3)	22 (37)
Lab Rebels	4 (5)	2 (4)	7 (10)	4 (6)	-	1 (3)	18 (28)
LD Party	2 (2)	2 (2)	5 (8)	2 (4)	-	3 (3)	14 (19)
LD Peers	1 (1)	-	3 (4)	-	-	-	4 (5)
Muslim	-	1 (1)	2 (2)	1 (1)	-	-	4 (4)
All Opp	1 (1)	1 (1)	1 (1)	2 (2)	-	-	5 (5)
Other Pol	4 (4)	4 (4)	4 (6)	-	1 (1)	1 (2)	14 (17)
Other Peers	4 (8)	2 (8)	4 (5)	4 (6)	1 (1)	2 (3)	17 (31)
Police	8 (13)	2 (4)	1 (1)	2 (3)	3 (5)	1 (1)	17 (27)
Security	1 (1)	-	1 (1)	-	-	-	2 (2)
Speaker HC	-	-	1 (1)	-	-	-	1 (1)
Total	72 (92)	64 (89)	89 (128)	46 (89)	25 (41)	28 (39)	324 (478)

Figure 7.4 shows the proportion of pro-legislation, anti-legislation and mixed/unstated sources included in each newspaper based on frequency of appearance (a full breakdown of the sources and their positions on the legislation can be found in Appendix 10). With the exception of the *Sun*, anti-legislation sources had a higher percentage of representation, accounting for 58 percent of the total share, with pro-legislation sources comprising 38 percent of the share, with mixed/unstated sources comprising the remainder. At an individual level, the *Daily Telegraph* devoted 56 percent to anti-legislation sources, compared with 40 percent to pro-legislation and four percent to mixed/unstated sources. The other two broadsheets followed a similar pattern, with 55 percent of sources reflecting an anti-legislation stance in the *Times* and 58 percent in the *Guardian*. Pro-legislation sources accounted for 45 percent of all sources in the *Times* and 35 percent in the *Guardian*, with mixed/unstated sources constituting seven percent of space in the latter title. Across all of the newspapers, the *Daily Mail* had the highest proportion of anti-legislation sources (74 percent), with 24 percent of its space devoted to pro-legislation sources. Fifty-seven percent of all sources in the *Mirror* reflected an anti-legislation stance, with pro-legislation sources making up 39 percent of its overall sources. As with the previous case studies, the *Sun* provided more space to pro-legislation sources than anti-legislation sources, albeit marginally on this occasion, with pro-legislation sources accounting for 52 percent and anti-legislation sources 48 percent.

Figure 7.4 Source position on legislation as proportion of frequency of appearance (CTA 2008)



Across all the newspapers, Figure 7.5 shows that 91 percent of the reporter tone toward the sources cited was coded as straight, with 4 percent of all source citations coded as deflating and 5 percent as reinforcing of source assertions. The percentages are equivalent to the findings of the TA 2006 case study.

Figure 7.5 Reporter tone toward all sources across all newspapers as percentage (CTA 2008)

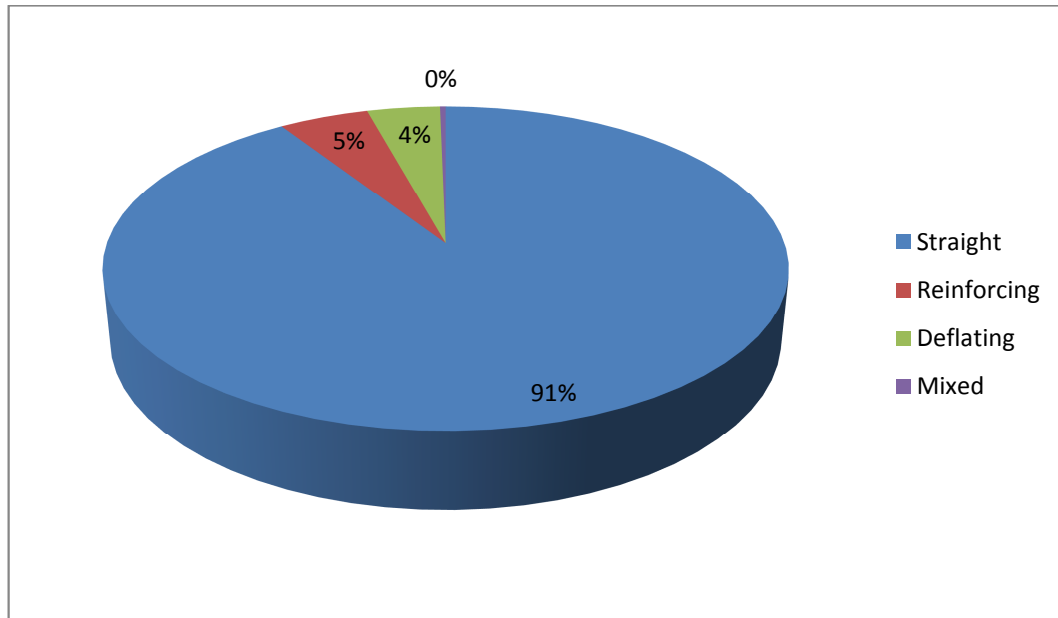


Table 7.8 illustrates the reporter tone toward the different source positions in each newspaper. As Figure 7.5 revealed, the vast majority of articles contained a straight reporter tone toward the sources cited. However, when reporters did deviate from straight reporting, the majority of deflating comments at an aggregate level were aimed at pro-legislation sources, with anti-legislation sources gaining the most reinforcing comments. This finding replicates the ratio of pro- and anti-legislation sources in the 2006 case study. When considering the newspapers individually, the *Sun* was the only title to include reinforcing comments toward pro-legislation sources, with two directed at the police and one toward a Conservative peer. Negative commentary toward pro-legislation sources came from the *Daily Telegraph*, the *Guardian* and the *Daily Mail*, with the *Daily*

Telegraph including three deflating comments, the *Guardian*, four and the *Daily Mail*, one. Most of the deflating commentary was directed at the government, with two occurrences apiece in the *Daily Telegraph* and the *Guardian*, and one in the *Daily Mail*. The *Daily Telegraph* also directed one deflating comment toward the police, with the *Guardian* directing one deflating comment toward a Conservative peer and one toward a Labour peer. Anti-legislation sources received three deflating evaluations from the *Times*, one from the *Sun* and one from the *Guardian*. In the case of the Murdoch press, all of its deflating commentary was directed at the Conservative Party, whilst the *Guardian* reserved its deflating tone for a Liberal Democrat peer. Regarding reinforcing evaluative comments devoted to anti-legislation sources, the *Daily Telegraph* included seven and the *Guardian*, six – with the *Daily Telegraph* devoting five to anti-legislation peers and one apiece to the Conservative Party and the security services. Whilst the *Guardian* reserved most of its positive judgements for peers (two occurrences), Labour rebels (two occurrences), with the Liberal Democrats and a Muslim representative each receiving one positive reinforcement. Given the adversarial nature of the tabloid press, a surprising finding was the absence of any evaluative comments that supported or undermined the assertions of a source in the *Mirror*.

Table 7.8 Reporter tone toward pro- and anti-legislation sources (CTA 2008)

	DT	Times	Guard	Mail	Sun	Mir	Total
Source Position							
Pro-Legislation	29	29	31	11	13	11	124
Straight	26	29	27	10	10	11	113
Reinforcing	-	-	-	-	3	-	3
Mixed	-	-	-	-	-	-	-
Deflating	3	-	4	1	-	-	8
Anti-Legislation	40	35	52	34	12	16	189
Straight	33	32	45	33	11	16	170
Reinforcing	7	-	6	-	-	-	13
Mixed	-	-	-	1	-	-	1
Deflating	-	3	1	-	1	-	5
Mixed/Unstated	3	-	6	1	-	1	11
Straight	3	-	6	1	-	1	11
Reinforcing	-	-	-	-	-	-	-
Mixed	-	-	-	-	-	-	-
Deflating	-	-	-	-	-	-	-

7.4 Media Framing of Policy Debates

As with the previous case studies, this section considers how the newspapers framed the political debates. Again, the politics frame was the most prevalent across the entire sample of newspapers, accounting for 42 percent of all articles, whilst 9 percent of the articles did not display any significant framing or reasoning devices relevant to a particular frame. Just 11 percent of all articles displayed exclusive elements of the security frame, 23 percent the civil liberties frame, with mixed frames constituting the remaining 15 percent of the articles. Figure 7.6 provides an illustrative representation of which frames predominated across the sample. When comparing the broadsheets and the tabloids, six percent of all articles in the broadsheets and 19 percent of all articles in the tabloids

reflected the security frame. However, as with the PTA 2005 and the TA 2006, the high incidence of the security frame in the tabloids was due to its dominance in the *Sun* – on this occasion, the *Sun* was the only tabloid to include elements that exclusively reflected the security frame. Conversely, when considering the tabloids support for the civil liberties frame – which reflected 14 percent of their frames at an aggregate level – the *Sun* was the only title that failed to include articles that were coded as exclusively reflecting civil liberties perspectives. Twenty-eight percent of all articles across the broadsheet sample reflected the civil liberties frame. Again, there was a heavy slant towards the politics frame in both the broadsheets and the tabloids constituting 47 percent and 33 percent of their respective outputs. The broadsheets had a slightly lower incidence of frameless articles, seven percent compared with 11 percent for the tabloids.

Figure 7.6 Predominant frames (%) across all newspapers, broadsheets and tabloids (CTA 2008)

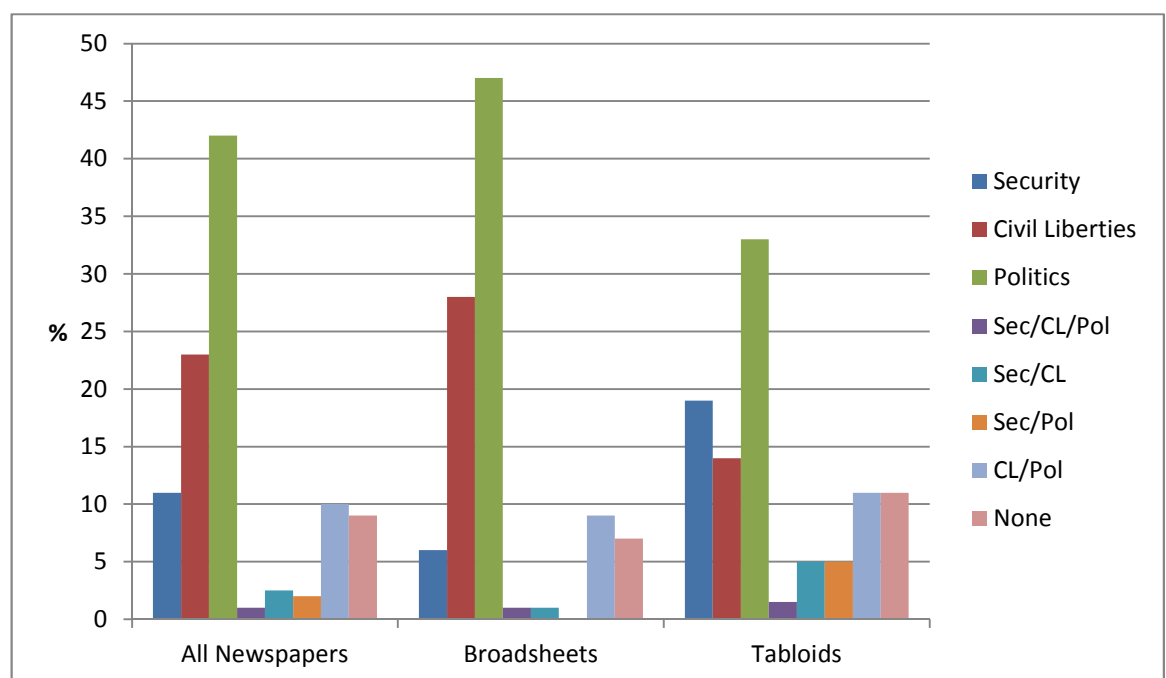


Table 7.9 shows the predominant frames in each newspaper. The security frame was most prevalent in the *Sun* with 12 articles, followed by the *Daily Telegraph* with three occurrences, the *Times* with two and the *Guardian* with one. The other two tabloids did not include any articles that exclusively reflected national security perspectives. Out of the broadsheets, the civil liberties frame was particularly prevalent in the *Guardian*, the *Times* and the *Daily Telegraph*, appearing 13, eight and seven times respectively. The *Sun* was the only title not to include any articles with an exclusive civil liberties frame, whilst the *Daily Mail* and the *Mirror* had five and four instances apiece. As with the TA 2006, the *Sun* was the only title that did not devote the majority of its focus to the politics frame.

Table 7.9 Predominant frames per newspaper (CTA 2008)

	DT	Times	Guard	Mail	Sun	Mir	Total
Frames							
Security	3	2	1	-	12	-	18
Civil Liberties	7	8	13	5	-	4	37
Politics	14	19	14	8	5	8	68
Sec/CL/Pol	-	-	1	1	-	-	2
Sec/CL	-	-	1	1	1	1	4
Sec/Pol	-	-	-	-	3	-	3
CL/Pol	3	-	6	4	-	3	16
None	-	4	3	2	2	3	14
Total	27	33	39	21	23	19	162

Figure 7.7 presents the quotient of frames per newspaper. Only 11 percent of the *Daily Telegraph's* coverage reflected the security frame, 26 percent the civil liberties frame, 11 percent mixed frames and 52 percent the politics frame. In the *Times*, just six percent of articles reflected the security frame, 24 percent the civil liberties frame and 58 percent the politics frame. The *Guardian* devoted

equivalent space to the politics frame and the civil liberties frame, 36 percent and 33 percent respectively, whilst 21 percent of articles were defined as mixed frames. Thirty-eight percent of all articles in the *Daily Mail* reflected the politics frame, with 24 percent devoted to civil liberty perspectives, whilst 29 percent reflected mixed perspectives. Over half of the articles in the *Sun* reflected the security frame, compared with 22 percent for the politics frame. Forty-two percent of all articles in the *Mirror* reflected the politics frame, with the civil liberties frame and the mixed frames each comprising 21 percent of all articles.

Figure 7.7 Composition (%) of frames per newspaper (CTA 2008)

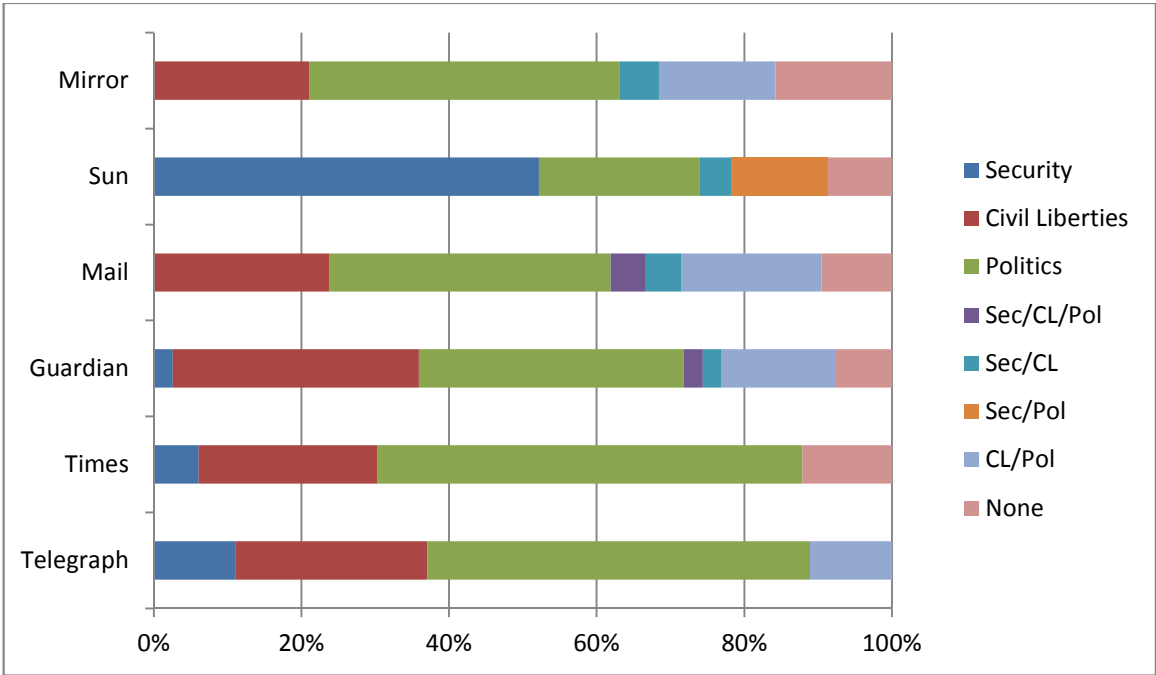
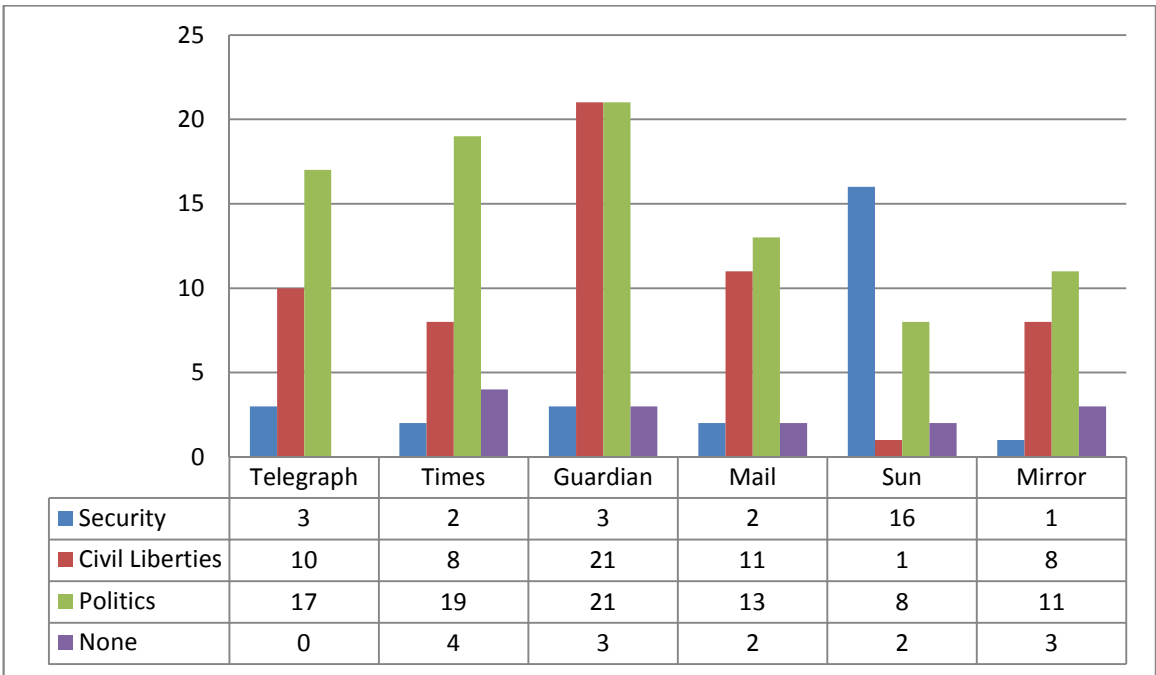


Figure 7.8 shows the predominate frames at an aggregate level. When the mixed frames are combined with the three meta frames (security, civil liberties and politics) the findings show that the politics frame was the most prevalent in all the

newspapers with the exception of the *Sun*, where the security frame preponderated. The high incidence of the politics frame in the *Daily Telegraph* and the *Times* was especially pronounced in terms of its ratio to the other frames. Out of the broadsheets, the *Times* had the least occurrences of the security frame in its aggregate form, appearing twice compared with the *Daily Telegraph* and the *Guardian* with three instances each. The civil liberties frame was heavily represented in all of the newspapers with the exception of the *Sun*, with the *Daily Telegraph* having 10 occurrences and the *Times* eight occurrences. In three of the newspapers, elements of the civil liberties frame appeared in either half or nearly half of all articles, with the frame appearing 21 times in the *Guardian*, 11 in the *Daily Mail* and eight in the *Mirror*. Across the entire sample, there was a lower occurrence of frameless articles.

Figure 7.8 Predominate frames at an aggregate level (CTA 2008)



In terms of which themes or depictions were most heavily represented within the politics frame, issues around party politics gained considerable coverage. Across the newspaper sample, there was much focus on the conflict between the government and the Opposition, and between the government and Labour rebels over the 42-days provision. The subsequent deal between Brown and the DUP (and some Labour rebels) was also heavily criticised across the newspaper spectrum. For the press, Brown's 'hollow victory' may well have satisfied public opinion, but had demeaned parliament. There were also references to Brown's abuse of power, especially in the politicisation of the police (for example, the letter from the Home Office to MPs regarding Bob Quick's support for 42-days), and for using the Bill for his own political advantage. The resignation of David Davis over the 42-days detention issue also acquired front-page coverage as well as substantial analysis on the future of the Conservatives under David Cameron in the press.

The most prevalent theme or depiction in relation to the civil liberties frame was the impact of the 42-days detention provision on civil liberties. As with the 90-days detention clause contained in the 2006 Bill, the provision was criticised for compromising habeas corpus and ancient legal rights in general. There were also references to how '42-days' could undermine relations between Muslim informers and the police, and that the provision could be seen as disproportionately targeting the Muslim community.

In relation to the security frame, the legislation was depicted as safeguarding fundamental rights and freedoms. Those opposed to the Bill were portrayed as jeopardising national security, as well as being out of touch with the electorate. There were also instances where the Conservative Party was accused of using the 42-days detention issue to score political points. All of these themes had most expression in the *Sun*.

7.5 Editorial and Commentary Standpoints

This section focuses on the overt ideological direction of each newspaper, as expressed in the editorials and commentary pieces.

Daily Telegraph: Unsurprisingly, the *Daily Telegraph* was against the 42-days detention provision, with much of its coverage claiming that Brown was pushing through the measure for party political purposes – namely to show the electorate that the Labour Party was tougher on terror than the Opposition. This was best illustrated in Simon Heffer’s opinion piece on 11 June 2008. Referring to the director of MI5, Jonathan Evans’s, ‘reservations about the 42-day proposal’, Heffer cautioned that if the security services have its doubts, then ‘the rest of us should be sceptical’ too (p. 22). Heffer also questioned whether Brown was trying to push through the measure as a way of ‘reasserting his authority over his party...And given the public seem to be in favour not just of detention without trial for terrorist suspects, but also of their execution without trial, might it not also boost his pathetic opinion poll ratings?’ (Ibid.).

The following day, Mary Riddell claimed that the ‘vote was a defeat for liberty and a blow against Britishness’ (12 June 2008, p. 24). In relation to Brown’s deal with the DUP, Riddell argued that: ‘Habeas corpus has been flogged off to the highest bidder, in this case the Democratic Unionists, who allegedly repaid Brown’s reported blandishments by supplying the nine votes that saved the Government’ (Ibid.).

In its editorial on the same day, the *Daily Telegraph* maintained that ‘the manner of the victory [was] unsatisfactory [as] the measure has its roots as much in raw politics as in the security of the realm’ (12 June 2008, p. 25). However, the ‘underhanded’ manner in which Brown won the vote, had, the *Daily Telegraph* asserted, ‘done little to enhance his authority’ (Ibid.).

On the resignation of David Davis, the *Daily Telegraph* asserted that Davis had ‘made a brave mistake’ (13 June 2008, p. 27). It goes on to say that whilst his resignation ‘looks both wilful and quixotic’ that it ‘deserves admiration’, not least because his stand against an ‘authoritarian government’ highlighted how the UK had become ‘one of the most spied-upon and fettered societies in the Western world’ (Ibid.). However, the editorial also cautioned that his admirable stand against the erosion of our civil liberties could serve to weaken the Conservative Party. Indeed, it claimed: ‘Mr Davis wanted to embarrass the Labour Party, but has failed. The only embarrassment thus far is to his own party’ (Ibid.).

In response to the Lords vote against the 42-days detention measure, the editorial on 14 October 2008 welcomed the government's announcement that it was to abandon the 42-days clause (p. 21). However, it goes on to criticise the Home Secretary's move to draft a reserve measure to extend pre-charge detention that would be used in cases of national emergency. Drawing on the 'party politics' leitmotif, the newspaper argued that 'a querulous Miss Smith continued to impute the worst of motives to the measure's critics, suggesting they were soft on terrorism... [But] the fact remains that she and Mr Brown lost the vote because they lost the argument' (Ibid.).

***The Times*:** Editorially, the *Times* were opposed to the 42-days detention measure, but welcomed some of the other proposals, such as DNA sampling and post-charge questioning. On 11 June 2008, the *Times* asserted that parliament must vote 'no to the politics of fear', and that the 'yes' campaign had been nothing more than 'a trial of Mr Brown's strength' as prime minister (p. 2). It goes on to maintain that 'Most MPs supporting it will do so grudgingly at best, to give their beleaguered leader a short-lived tactical victory' (Ibid.). These themes are echoed the following day after the Commons voted yes to '42 days' in both the editorial and the opinion pieces. In an editorial entitled 'Westminster for Sale', the *Times* contended:

[Brown] has won a tactical victory that will be presented as proof of his seriousness about national security...The reality this morning is a prime minister willing to erode ancient freedoms with cataclysmic threats to shore up his position; a government willing to write unworkable legislation

for the sake of a hollow political gesture; and MPs on both sides of the aisle demeaned by the worst sort of horse trading for their support. The currency of Parliament is the integrity of its Members. It has seldom been so wilfully devalued.

(12 June 2008, p. 2)

On the Davis resignation, the *Times* declared that whilst ‘David Davis may hold sincere convictions...he has put them and his party at risk for the sake of a disastrous ego trip’ (13 June 2008, p. 2). The commentaries reflected the same stance, with Peter Riddell warning that ‘resignation is often the prelude to obscurity’, and questioned what Davis was actually trying to achieve, given that it was ‘already official Tory policy’ (13 June 2008, p. 8). Whilst Rachel Sylvester declared that Davis’ resignation was ‘more about one man’s misguided impulses than the good of his party’ (13 June 2008, p. 33).

The Guardian: Simon Jenkins set the parameters of the succeeding coverage by stating that ‘Tough? Brown looks more like an image-obsessed wimp: This gutter government looks anything but strong in its unnecessary, unpopular bid to extend detention without charge’ (2 April 2008, p. 33).

In its editorial of 23 April 2008, the *Guardian* reasoned that even the director of public prosecutions, Sir Ken Macdonald, who, under the 42-days provision, would be responsible for authorising any detention beyond 28-days ‘does not think the new power is needed’ (p. 30). Instead, like the DPP and Liberty, the editorial

argued that ‘the extended use of intercept evidence and post-charge questioning...offers the government an honourable escape from the dead end of extended detention in which it is now trapped’ (Ibid.).

However, in the interests of balance, the *Guardian* did provide space for two divergent guest opinion pieces. The first from Garry Hindle, who argued that 42 days ‘would allow police the time to protect the public and build a genuine case, while enshrining a higher level of judicial and parliamentary oversight during that time’ (11 June 2008, p. 33). In contrast, Conor Foley argued that the Home Secretary was aware of how enhanced police powers can be abused, referring to his own arrest under draconian terrorism laws whilst a student activist in the Labour Party (11 June 2008, p. 33).

On Brown’s narrow victory in the Commons, Timothy Garton Ash declared that ‘this illiberal vote risks strangling freedom without any gain in security’ (12 June 2008, 33). This ‘shaming victory’ had ‘always been about political advantage’ declared the *Guardian*’s editorial, and ‘a law no one [wanted] imposed by a government that wanted to look strong but ended up too weak to accept the obvious’ (12 June 2008, p. 36). Referring to Blair’s defeat over 90-days detention, it goes on to argue that the bitter rivalry with Blair had led Brown to attempt ‘to prove his mettle by succeeding where Mr Blair had failed’ (Ibid.).

In terms of the ‘Davis stunt’, the editorial of 13 June 2008, noted that it is often a ‘mistake’ for politicians to ‘talk up their own version of liberty [for] much that is

important is missing from the Davis brand of freedom' (p. 40). Indeed, it discussed Davis' defence of habeas corpus on the one hand, but his seeming loathing of the Human Rights Act, on the other – and highlighted his 'support for the death penalty' as being at odds with 'the most basic [of freedoms]' (Ibid.). Indeed, Julian Glover proposed that Davis' real 'struggle will be to explain what he is standing for, and what it is he is against' (13 June 2008, p. 39).

The *Guardian* concluded its attack on the Bill, and the wider politics of the Brown government, by stating that the 'Lords have forced him to listen to reason and buried his poisonous proposal', which for the newspaper was only ever '[cooked] up...to make the Conservatives look soft' on terrorism (14 October 2008, p. 34).

Daily Mail: Whilst the *Daily Mail* acknowledged that terrorism investigations were often more complex than criminal cases, it declared that it '[remained] deeply uneasy about depriving British citizens of their liberty for 42 days, on no better authority than the say-so of the police (whose ability to get the wrong man was demonstrated so horrifically by the shooting of Jean Charles de Menezes)' (11 June 2008, p. 12). It goes on to argue that other laws originally intended to be used at a time of national emergency (such as 'snooping' on citizens phone calls and emails) were now routinely used by local authorities to 'spy on citizens suspected of breaking byelaws on rubbish collection' (Ibid.). The overarching theme being the gradual 'sacrificing [of] our civil liberties' have resulted in a '[radical] altering [of] the relationship between the citizen and the state' (Ibid.).

Coverage on 12 June 2008 focused on Brown's 'egregious arm-twisting and bribery' of the DUP to win the vote over 42-days detention (p. 6). Quentin Letts declared the deal between Brown and 'the gay-bashing, Pope-hating DUP' was a 'bad day for Britain' (p. 7). Using the Northern Ireland troubles as an historical exemplar, he goes on to say:

But the damage is dire. We are left with an unworkable, wicked law and a legislature no longer worth the name. Hundreds of good British soldiers died saving Northern Irish Unionism over the past three decades. Now its MPs return the compliment by killing Magna Carta. What a crew it is that claims to govern us.

(Ibid.)

The *Daily Mail's* editorial and commentary reactions to the resignation of Davis were generally supportive of his move. Quentin Letts announced, 'let's raise caps, hats, helmets, whatever we possess, to this bold buccaneer. At last, someone has swung a dramatic punch at this dark onrush of spooky officialdom' (13 June 2008, p. 7). Andrew Alexander concurred, by describing Davis as 'a brave man in all senses', with references to his great experience as a politician and his former role in the SAS Territorials (p. 16). Editorially, the *Mail* declared that it 'applauds everything Mr Davis says', especially his warnings that New Labour had created an 'Orwellian world' of draconian security measures. However, it concluded on a cautionary note, by saying that while it wished Davis 'all the luck in his fight to protect British freedoms, we worry – as a friend – that, in this instance, his

courage may have been greater than his judgment’ – in the sense that it could result in undermining the Conservative Party (p. 14).

The Sun: As with the previous case studies, the *Sun*’s editorials and commentaries were wholly supportive of the government’s proposals. On 11 June 2008, the *Sun*’s editorial pleaded with ‘a handful of Labour MPs [who] seem prepared to undermine their own leader’ to ‘Defend us’ (p. 8). It continued to maintain that the 42-days provision was not only ‘a vital weapon in the nation’s defence’, but had the backing of the police, the security services and the Muslim population (Ibid.). This theme is echoed in an opinion piece by the Independent Terrorism Review chief, Lord Carlile, who described the law as ‘a necessary protection’, which was ‘full of safeguards against misuse’ (13 June 2008, p. 8).

A feature that appeared on the same day focused on an open letter addressed to the Tory whip John Baron from the father of a young woman killed in the 7/7 bomb attacks. The letter implored Baron to ‘rise above’ the ‘petty’ political point scoring to do all he could to encourage his party to safeguard the country, and that the human rights of ‘ordinary members of the public’ should be prioritised over the ‘rights of people who carry out [such] atrocities’ (p. 9). Whilst an opinion piece by David Blunkett, who was writing a regular column for the *Sun* at the time, maintained that voting yes to 42-days detention would send a vital message to terrorists that Britain was not soft on terrorism. Failure to pass the provision, he warned, could result in Britain being ‘seen as a sitting target’ by the terrorists (11 June 2008, p. 24).

Regarding the government's victory in the Commons over the 42-days detention, its editorial declared that Brown 'stood up for the fight against extremism' despite severe criticism from Labour rebels and the Conservative Party. The editorial then goes on to attack the Conservatives for putting their 'narrow self-interests' above that of 'the national interest' (12 June 2008, p. 8). A commentary by the political editor on the same day echoes the same themes as the editorial, by declaring Brown to be a 'true statesman', whereas the Conservatives were out of touch with the wants of the 'British public' who were 'massively in favour of new powers for the police' (12 June 2008, p. 9). Party politics were again the focus of its editorial the following day, where Davis was branded as 'stark raving mad' for resigning over an issue in which he already had his Party's support (13 June 2008, p. 8).

After Brown's defeat in the Lords over the 42-days detention proposal, the Sun declared it 'a sorry state of affairs' (14 October 2008, p. 2). In its editorial, it stated that it was a victory for Al-Qaeda, who 'must be revelling in the knowledge that Britain is more concerned about possible infringements of civil liberties than of taking the war on terror to them' (14 October 2008, p. 8). However, its final condemnation was reserved for the Conservatives, who they maintained, would have to back 'emergency 42-day legislation the next time a major suspect is held', as 'they cannot risk sabotaging a case for political advantage' (Ibid.).

The Mirror: In its opening arguments against the Bill, the *Mirror* included an opinion piece by the director of Liberty, Shami Chakrabarti, in which she stated that 'One of the best things that Gordon Brown did on becoming Prime Minister

was to dump the language of the “War on Terror” (25 January 2008, p. 6). Indeed, she maintained that the discourse around the Anglo-American war on terror (and the concomitant policies) only served to put the UK at greater risk from terrorist attacks. On 42-days detention, Chakrabarti argued that there were ‘reasonable alternatives’ which would sit more comfortably with civil rights obligations, such as telephone tap evidence, which could result in people facing ‘proper charges sooner’ (Ibid.). On 2 April, regular columnist Kevin Maguire asserted that Brown is ‘stupendously wrong’ on the 42-days provision (p. 10), maintaining that the issue was being used for political ends to make the ‘Tory toff’ appear ‘soft on terrorism’ (Ibid.).

Editorially, the *Mirror* was strongly opposed to the government’s plan for 42-days detention. Overall, ‘42-days’ was regarded as too long, with the government having failed to justify its inclusion in the Bill. On 11 June 2008, the *Mirror* argued that ‘anyone qualified to pass judgment on the 42-day terror detention plan doesn’t want it’, including the police, security services and the DPP (p. 10). Like Maguire’s commentary, it goes on to claim that the provision was devised for party political reasons, to show the electorate that Brown was tough on terrorism. However, it levelled the same accusation at the Conservatives and Labour rebels, stating: ‘Opportunistic politicking by the Tories and former Labour grandees does them no credit, either’ (Ibid.). These arguments are repeated in Kevin Maguire’s opinion piece, in which he declared that ‘Brown will squander a lot of dwindling political capital just to show he’s tough and survive the wrong fight in 42 days. Lose and it’s a real crisis. Win and it’s a Pyrrhic victory, a triumph for political

desperation over principle’ (11 June 2008, p. 10). On Brown’s victory in the Commons, the *Mirror* declared that Brown won on luck and not on the strength of his policy, and urged him to refocus on ‘issues that really concern people’ such as the economy (12 June 2008, p. 10).

As with all the other newspapers, coverage on 13 June 2008 focused on Davis’ resignation. Its editorial declared that it illustrated Cameron’s weak leadership skills, and warned that ‘If Cameron can’t keep a grip on his party in Opposition how would he cope with the pressure of running the country?’ (p. 10).

On 14 October 2008, the editorial focused on the government dropping the 42-days detention clause after it was overturned in the House of Lords. It reiterated its previous arguments on why it had to be abandoned, namely that it was not necessary and could result in ‘alienating the very communities in the frontline against terrorists’ (p. 10).

7.6 Summary

This chapter has analysed the press coverage of the passage of the CTA 2008, and with the exception of the *Sun*, found that there was a considerable focus on party politics across all of the newspapers. Security issues had the least representation across the sample, whilst civil liberty concerns were prominently featured in the *Guardian*, the *Daily Mail* and the *Mirror*. As with all of the previous case studies, the *Sun* provided extensive support for the government agenda.

As expected, the broadsheets devoted more copy to the debates than did the tabloids. However, all of the newspapers included front page coverage. As with the 2005 and 2006 acts, there was a much higher prevalence of editorials and feature articles across the newspaper spectrum than in the 2001 case study. As with the TA 2006, the passage of the Bill took place over several months. Whilst the majority of the coverage focused on the 42-days detention issue, one other newsworthy event was the resignation of David Davis, with the resulting press analysis focusing on the ramifications of Davis' resignation for the Conservative Party. As with the previous case study, the home secretary's role in the policy cycle was secondary to that of the prime minister in regards to press emphasis.

As with the previous case studies, elite sources dominated the parameters of debate. However, on this occasion, Conservative Party sources had greater representation than government sources. This can partly be explained by the resignation of David Davis and the ensuing press attention. Although civil liberties groups (but not Muslim advocacy groups) had a slight increase in terms of source appearances, overall they were still noticeably underrepresented when compared with elite sources. Nonetheless, as with the other case studies their concerns were highlighted by other anti-legislation sources. Proportionately, anti-legislation sources had greater representation than did pro-legislation sources, which was a notable change from the previous case studies. Like the 2001 and 2006 case studies, the vast majority of the reporter tone was defined as straight, with the majority of reinforcing comments reserved for anti-legislation sources, and deflating comments for pro-legislation sources.

The dominance of Conservative Party sources combined with a higher incidence of the civil liberties frame in some sections of the press, namely the *Guardian*, the *Daily Mail* and the *Mirror*, provides support for the oppositional model. The framing in the *Daily Telegraph* and the *Times*, on the other hand, provide credence for the independent model. Unsurprisingly, a continuing trend was the security-centric coverage in the *Sun*, which reinforces the government-driven thesis. As with the 2006 case study, the *Sun's* coverage largely reflected populist sentiment, as evidenced in the opinion polls on 42-days detention.

CHAPTER 8

NEW LABOUR’S TERRORISM POLICY (2001–2008)

AND THE PERFORMANCE OF THE BRITISH PRESS

The previous four chapters presented the findings of the quantitative and qualitative content analyses of press coverage of the ATCSA 2001, the PTA 2005, the TA 2006 and the CTA 2008. This chapter provides a comparative analysis of the four case studies. It begins with a review of the quantitative findings, specifically focusing on the longitudinal patterns of press attention and media-source relations. Then, it discusses the findings of the qualitative analyses, specifically looking at trends in the press framing of the policy debates over time. This is followed by an overall assessment of the performance of the press, with special reference to the theoretical frameworks relative to media-state relations. In particular, it revisits a key line of questioning in studies of media-state relations: ‘How independently do the media frame issues and events, versus simply passing along to the public the frames originated by powerful political actors?’ (Lawrence, 2010: 265). By this means, it assesses the extent to which the press fulfilled its historic ‘Fourth Estate’ role. Before concluding with a summary of the key findings of the comparative analysis, this chapter evaluates some of the key themes to emerge from the interviews with Jack Straw, David Blunkett, Charles Clarke and Jacqui Smith in relation to government-press relations.

8.1 Patterns of Press Attention

In comparison with the Terrorism Act 2000, the press generally perceived the post-9/11 terrorism policy debates as highly newsworthy, devoting a significant amount of coverage to the passage of the bills. As previously mentioned, Jack Straw paid little attention to the press during the passage of the TA 2000, and concomitantly, its passage gained very little coverage in the press.⁹⁷ This lack of a media strategy was not the norm however, as evidenced with the passage of the Human Rights Act 1998, which, as Straw confirmed, had a ‘good communications strategy’ (Interview with author, 12 February 2014). Thus, it leads us to question the motivating factors behind the lack of media interest in the passage of the TA 2000. The dearth in press reporting could partly be explained by the increasing apathy for parliamentary debate and lack of interest in politics more generally, as corroborated by the steady decline in parliamentary reporting during this period.⁹⁸ Another reason could have been the 1998 Good Friday agreement, which represented the symbolic end of the PIRA era. Indeed, despite several Republican dissident groups still known to be in operation during this period, the terrorist threat to the British mainland was no longer defined as critical. As Straw pointed out, the TA 2000 was drafted as a precautionary measure and during a period of relative calm.

⁹⁷ The handful of articles that did appear, mainly in the broadsheets, focused on the widening of the terrorism definition, with some disquiet over the impact this would have on legitimate advocacy groups, leading to claims that the ‘Terrorism Bill ‘could silence green activists’ (*The Times*, 15 December 1999: 10).

⁹⁸ See, for example, Jack Straw’s 1993 study on the steady decline of parliamentary reporting in the British press. The reasoning behind its decline were manifold, including general readership apathy toward parliamentary affairs, and the greater emphasis in the press on populist content (or what some critics have termed the tabloidisation of the press), which resulted in more attention being paid to political personalities rather than policy debates. Another reason was the introduction of television cameras to parliament.

It was done as a precautionary measure where many of its provisions wouldn't have to be used that often. You then had 9/11, and inevitably, the overwhelming concern of the public at that stage was to preserve their most basic civil liberty, which was their right to stay alive.

(Ibid.)

Given that there was significant press focus on political conflict in parliament during the passage of the post-9/11 legislation, another possibility for the lack of coverage of the TA 2000 was simply that it was not deemed newsworthy enough. Indeed, as Straw pointed out, there was little by way of political conflict between elites, instead the Bill enjoyed broad parliamentary consensus (Ibid.). Thus, for the government (as borne out in the interviews), 9/11 represented a real step change in terms of its terrorism policy agenda and in its political communications. As discussed in Chapter 1, there was significant focus on allaying public fears, which also corresponded with a more emotive communicative approach. However, as previously argued, 9/11 did not mark the beginning of New Labour's draconian legislative drives, and the civil liberties issues that the press so readily seized upon in the post-9/11 legislation, were largely absent in its coverage of pre-9/11 terrorism legislative debates.

Figure 8.1 shows the longitudinal press coverage of terrorism legislation between 2001 and 2008. When comparing the amount of press attention each piece of legislation received, with the exception of the *Sun*, the press devoted more attention to the passage of the PTA 2005 than it did to the other bills. This was

followed by the TA 2006 and then the CTA 2008. The *Sun*, however, devoted more attention to the CTA 2008 than it did to the other pieces of legislation. The ATCSA 2001 received the least coverage across the entire sample. This could partly be explained by the fact that there was little resistance from the Opposition (but more so from Labour rebels), and thus did not fit with the media's traditional emphasis on party political conflict. Indeed, this fits with Brown's (2010) view of the complex relationship between the media and the policy process, with media attention wholly dictated by the relative newsworthiness of a particular policy debate.

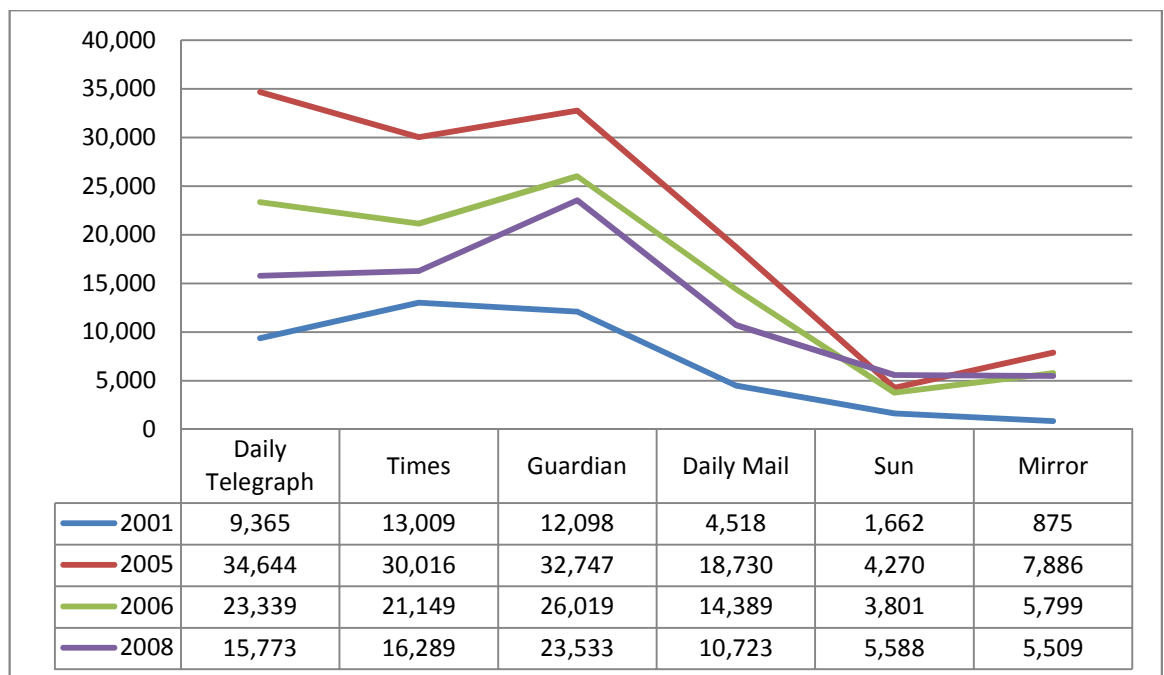
Only a tiny fraction of policy developments are reported in the mainstream news media. The assumption is that coverage is largely driven by conflict. The fraction that is reported will be driven by the perceived newsworthiness of the policy area and the level of conflict...Coverage gives priority to conflict that involves high profile actors. It will largely ignore policy areas where consensus exists.

(Brown, 2010: 133)

Thus, whilst 9/11 in itself reflected the most newsworthy news values, the fact that the legislation had broad cross-party consensus might have diminished its newsworthiness in the eyes of the press, which thrives on elite dissensus. In contrast, the PTA 2005 contained a higher level of conflict between political elites, and was debated over a relatively short period of time, which provided a sense of drama and immediacy to the press. Moreover, the issue of what to do

with the soon to be released Belmarsh detainees was also a major factor in terms of press interest.

Figure 8.1 Longitudinal press coverage of terrorism legislation (2001–2008)



The most notable peaks in media coverage tended to correspond to political conflict topics. For example, peaks in the coverage of the ATCSA 2001 correlated with the conflict between Blunkett and the Labour rebels, as well as the government's defeat in the Lords over the incitement to religious hatred clause. Similarly, press coverage of the PTA 2005, peaked during the political ping-ponging between the two houses over control orders, whilst Blair's first Commons defeat gained the most attention during the coverage of the TA 2006. In regards to the CTA 2008, there was considerable focus on the political machinations of the Brown government, as well as much attention paid to the resignation of the Conservative shadow home secretary David Davis, with subsequent analysis

questioning the future direction of the Conservative Party. This, then, supports Brown's assumptions that press 'coverage is driven by the relationship between (first) the perceived significance of the policy domain, (second) availability of sources, (third) prominence of protagonists and (fourth) the nature of the conflict' (Ibid.). Indeed, after 9/11, the anti-terrorism policy domain was perceived as highly newsworthy. This, combined with the availability of direct elite opinion and the battle between political elites as played out in parliament, could explain its significant impact on the press agenda.

8.2 Media-Source Relations: Evidence to Support the Government-Driven Model?

Table 8.1 shows the longitudinal frequency of source appearances by main source group across all newspapers between 2001 and 2008. Unsurprisingly, elite sources remained the dominant source group over time. Government sources were the most cited in the ATCSA 2001, the PTA 2005 and the TA 2006. However, by 2008, the Conservatives became the most dominant source group. Whilst the government closely followed the Conservatives in terms of source representation, it was evident that the government were no longer the kingpins of the debate. As mentioned above, the broad support of the Conservatives for the ATCSA 2001 might offer some explanation as to why they were the least represented during its passage, as the main political dissensus could be found in the House of Lords (who were the second most dominant source group during its passage). By 2005 (and during the TA 2006), the Conservatives represented the second most cited source group, which paralleled their more overt stance against the terrorism

legislation during these periods. However, the resignation of David Davis during the passage of the CTA 2008 could have contributed to the increased incidence of Conservative citations. Over time, civil liberties campaigners and Muslim advocacy groups failed to gain much ‘direct’ representation in the press. Nonetheless, their views were reflected in some of the arguments put forward by elite challengers.

Table 8.1 Longitudinal frequency of source appearances by main source group across all newspapers (2001–2008)⁹⁹

	ATCSA 2001		PTA 2005		TA 2006		CTA 2008		Total	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Government	110	47%	251	46%	249	52%	104	32%	714	45%
Opposition	36	16%	177	32%	120	25%	123	38%	456	29%
Lords	79	34%	73	13%	66	14%	56	17%	274	17%
Police/Security	1	0.5%	31	6%	20	4%	19	6%	71	4%
Civil Liberties	1	0.5%	8	1.5%	8	2%	17	5%	34	2%
Muslim	2	1%	6	1%	9	2%	4	1%	21	1.5%
Other	3	1%	2	0.5%	5	1%	1	0.5%	11	0.5%
Total	232		548		477		324		1581	

As Table 8.2 shows, at an aggregate level, the proportion of appearances of anti-legislation sources increased over time. By 2008, pro-legislation sources accounted for 58 percent of all sources, whereas the ATCSA 2001 proportionately had more pro-legislation sources, which was not to be repeated in the reporting of the later legislation. Indeed, the 2005 and 2006 legislation comprised an equal

⁹⁹ Government sources include all Labour MPs regardless of their legislative stance, whilst Opposition includes the Conservatives and the Liberal Democrats, as well as all other political parties. Similarly, Lords refers to all members of the House of Lords regardless of their political persuasion. Due to the rounding of figures, the sum total in the above table might calculate above or below 100 percent.

number of pro- and anti-legislation sources. However, when examining trends of source inclusion in particular newspapers, two newspapers stand out. The *Daily Telegraph* included a higher percentage of anti-legislation sources across the case studies, which reflected their traditional anti-government position. Contrastingly, the *Sun* included a higher proportion of pro-legislation sources, which mirrored their support for the New Labour government more generally. With the exception of the *Daily Telegraph*, all of the newspapers included a higher proportion of pro-legislation sources in the 2001 case study, but the newspapers steadily tilted in favour of anti-legislation sources over time. By 2005, the *Guardian* especially started to include a higher proportion of anti-legislation sources, which also reflected its general stance on the New Labour government during this period.

Table 8.2 Longitudinal frequency of source appearance by legislation standpoint across all newspapers (2001–2008)¹⁰⁰

	ATCSA 2001		PTA 2005		TA 2006		CTA 2008		Total	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Pro-Legislation	112	48%	266	49%	225	47%	124	38%	727	46%
Anti-Legislation	79	34%	259	47%	225	47%	189	58%	752	48%
Mixed/Unstated	41	18%	23	4%	27	6%	11	3%	102	6%
Total									1581	

As Bennett argues, ‘the indexing hypothesis is intended to apply more to news accounts of everyday events, crises, and policies than to “special coverage” of things like elections that may have a normative-ritual order of their own’

¹⁰⁰ NB. Due to the rounding of figures, the sum total in the above table might calculate above or below 100 percent.

(Bennett, 1990: 107). The news accounts of the policymaking cycle could arguably fall into this ‘normative-ritual order’ paradigm, insofar as the focus of the coverage was on political elite debate within the confines of parliament (i.e. an ‘establishment’ setting). The extent to which journalists operated within their normative professional boundaries is also relevant here.¹⁰¹ Given that the focus was on parliamentary debate, it was unsurprising that journalists included such a high proportion of elite or official sources.¹⁰² In fact, to do otherwise would have contradicted established journalistic norms and conventions, regardless of the ideological direction of a particular newsroom. Moreover, it is generally accepted that official sources constitute the most newsworthy actors, and thus consideration of the findings must be viewed within broader journalistic cultures and working practices.

Both Miller (2004) and Knightly (2003) suggest that during times of conflict the autonomy of the media is severely restricted due to the propagandist information strategies of governments. Indeed, many studies of media-source relations during the 2003 Iraq war suggest that elite sources (government and military) dominated media coverage and had considerable influence over the shaping of news agendas (Bennett et al, 2007; and Lewis et al., 2006). This confirms Bennett’s argument that journalists ‘tend to “index” the range of voices and viewpoints in both news and editorials according to the range of views expressed in mainstream

¹⁰¹ However, it is important to note that this research was not a newsroom study and does not profess to make any direct claims that this was indeed the case. Rather it makes inferences based on established academic claims.

¹⁰² In contrast, the coverage of other situations such as a war or aftermath of a terrorist attack, would theoretically offer more opportunity for journalists to draw on a diverse range of source opinions.

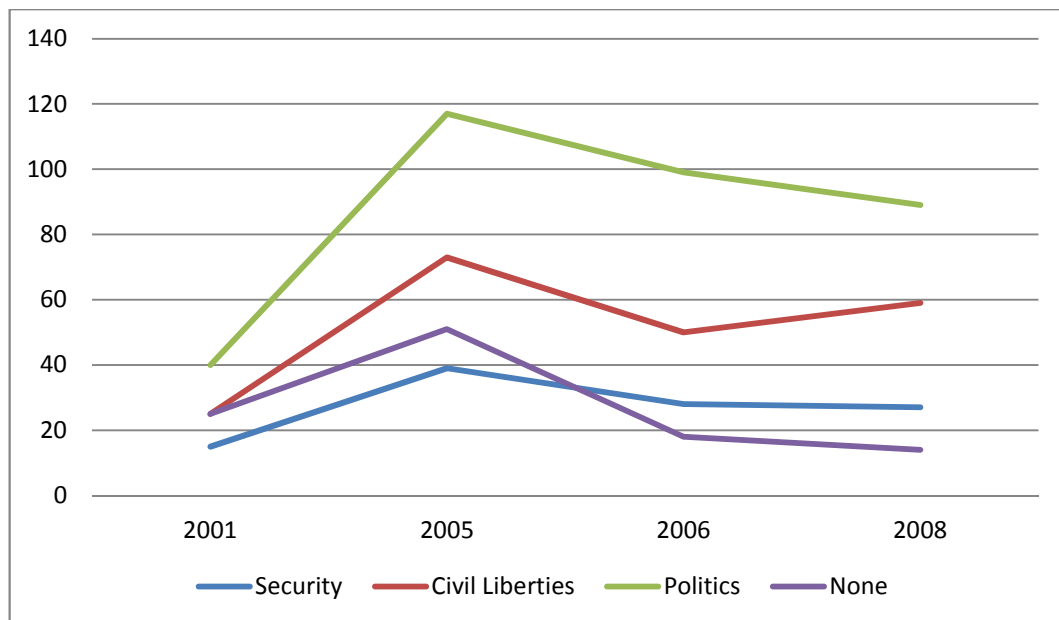
government debate about a given topic' (Bennett, 1990: 106). Furthermore, as Jones and Wolfe assert, the 'major driver of indexing is elite conflict', with media coverage closely following the problem-solution definitions of political elites (Jones & Wolfe, 2010: 21).

At first glance, the high preponderance of elite sources across the case studies reinforces the indexing hypothesis (and by extension the elite-driven/government-driven thesis). However, this finding comes with some qualifications. As Robinson et al. (2010) note, the significance of official sources in terms of their agenda setting ability can sometimes be overestimated. Indeed, in their analysis of the media coverage of the Iraq war, they found that although there was certainly a correlation between 'official sources and supportive coverage...every news outlet surveyed relied on official sources to a substantial degree, even though some of them produced significant levels of [independent] and oppositional reporting' (Robinson et al., 2010: 165). As was the case in this study, whilst the *Sun's* use of sources certainly supported the government-driven model, across the rest of the newspapers, patterns of framing provided significant evidence of independent or oppositional reporting. Therefore, the findings challenge the indexing hypothesis, which predicates that the press 'will follow closely the contours of official debate' insofar as 'reliance on official sources and opinions...is a variable that is not capable of explaining these variations in coverage by itself' (Ibid.).

8.3 Media Performance: Watchdogs or Lapdogs?

Figure 8.2 shows the predominant frames at an aggregate level. When the mixed frames are combined with the three meta frames (security, civil liberties and politics), the findings show that the politics frame was the most prevalent across all of the case studies. This was followed by the civil liberties frame, with the security frame gaining the least coverage over time.

Figure 8.2 Trends in frame display across all newspapers (2001–2008)



As for individual newspapers, the politics frame had considerable representation across the entire newspaper spectrum longitudinally, with the *Times* especially including a high preponderance of stories that reflected this frame. Moreover, the extensive focus on conflict between political elites supports Brown's argument that a primary theme running through most media coverage of the policy process 'is what the outcomes of the issue will do for the political strength of those

involved', and thereby 'its implications for the political system as a whole' (Brown, 2010: 133).

Alongside the politics frame, a large proportion of stories in the *Daily Telegraph* during the 2005 and 2006 case studies also reflected the civil liberties frame. Similarly, the *Guardian* also had a high prevalence of news items that focused on civil liberties perspectives across the entire sample period. Out of the tabloids, coverage in the *Sun* consistently reflected the government stance on the legislation, whilst coverage in the *Mirror* tended to reflect the politics or civil liberties frames. Whilst a high proportion of the *Daily Mail's* coverage reflected the politics frame, during the 2006 and 2008 case studies, it also devoted significant coverage to civil liberties perspectives.

As discussed elsewhere in this thesis, previous studies on the media-state nexus within the context of post-9/11 conflict or foreign policy have found evidence consistent with the elite-driven model (redefined in this thesis as government-driven). This study contradicts these findings. However, it does concur with some of the findings of Robinson et al. (2010), especially that the press coverage replicated the 'longstanding editorial orientation of each newspaper' (Goddard et al., 2008: 28). As with the present study, Goddard et al. (2008) found that the *Sun* was unambiguous in its support of the government agenda, with the *Daily Telegraph*, the *Times* and the *Daily Mail* offering various degrees of support for the coalition. Meanwhile, coverage in both the *Guardian* and the *Mirror* was more consistent with the independent or oppositional paradigms. However, even when

newspapers collectively reflected a pro-war bias, the study found that coverage was 'likely to have some degree of historical basis as well as reflecting a complex series of transactions concerning the triangulation of (at the least) support for current policy, patriotism and party allegiance' (Goddard et al., 2008: 28). This was certainly the case in the press reporting of the anti-terrorism legislative debates.

In terms of independent reporting, there was a heavy focus on party politics and the wider political machinations of the New Labour government, which often reflected the traditional positions of the newspapers themselves. Indeed, the press would often use the reporting of the debates to express their wider disapprovals of the HRA/ECHR and the EU, as well as to criticise the extensiveness of New Labour's power more generally. In terms of oppositional arguments around the implications of the legislation for civil liberties and human rights, these often reflected the viewpoints of advocacy groups opposed to the legislation.

As Lawrence (2010) points out, 'the media's independence in crafting news frames varies across political contexts' (Lawrence, 2010: 266). Indeed, when reporting foreign policy and national security issues (i.e. anti-terrorism legislation), the 'media typically show less independence in framing issues and events, instead tending to rely heavily on high government officials to frame the news' (Ibid.: 267). Whilst not constrained by the 'patriotism' dilemma of reporting in wartime (i.e. the pressure on the media to support 'our boys' during times of war), the policy debates were played out under the rubric of the 'war on

terror’, with the government often employing the rhetoric of war to defend its policies.¹⁰³ Despite this, the most striking aspect of the findings was the extent to which the press maintained its adversarial stance despite immense public support for the government’s policies in the wake of the catastrophic events of 9/11 and 7/7.¹⁰⁴

As discussed in Chapter 2, the historic struggle for press freedom in Britain led to the emergence of an occupational ideology of journalism, the principles of which are public service (i.e. watchdogs), objectivity, autonomy, immediacy and ethics (Deuze, 2005: 447). A key finding of this thesis is the extent to which the performance of the British press negated the ‘prevailing elite-driven orthodoxy’ (Robinson et al., 2010: 173). This, then, provides some credence to the ‘Fourth

¹⁰³ See, for example, the Home Office press release of 3 October 2001 in which David Blunkett outlines his ‘new anti-terrorist measures’: ‘At this time of challenge to our country and our values it is vital to ensure that we are fighting the war against terrorism on every front...I am determined to protect our country and its democratic values from those who seek to undermine and attack them’ (Home Office, 2001a). Also, the Home Office press release of 12 December 2001 in which David Blunkett states: ‘The war on terrorism is a war on many fronts...There have been a number of public threats made by Bin Laden and his supporters against Western interests since 11 September. We are all vulnerable and there is no room for complacency. The UK is part of a worldwide response to the atrocities in America. The scale of this operation cannot be underestimated...Our job is to protect those under threat in the US and across the world, as well as protect ourselves. This is what our own anti-terrorist legislation seeks to achieve’ (Home Office, 2001b). Tony Blair also employed the rhetoric of war in his address to the Lord Mayor’s Banquet on 11 November 2002: ‘So we make a judgement, day by day, week by week. So the international community has to work together to ensure the safest possible transport systems and tough laws, and proper inter-agency co-operation. Government has to ensure we take whatever security measures we can, consistent with the desire of people to live normal lives. Businesses have to ensure that the security measures we advised in the wake of September 11 continue to be implemented. Whether here in the UK or when travelling abroad, all of us as citizens have to be alert, vigilant, and to cooperate fully with the relevant authorities. This is a new type of war, fought in a different way by different means. But as with all wars, it will test not just our ability to fight, but our character, our resilience and our belief in our own way of life. It is a war I have total confidence we will win, but it will not be without pain or come without a price’ (Blair, 2002).

¹⁰⁴ As mentioned elsewhere in this thesis, opinion polls suggested that the public were generally supportive of the various terrorism legislative proposals. It should also be noted that there were occasions where the anti-legislation views of particular newspapers ran contra to the views of their readership. For example, the poll conducted by YouGov and the *Daily Telegraph* in 2008 showed considerable public support for the 42-days detention policy, despite the newspaper taking an anti-legislation stance.

Estate' thesis, with press performance more closely aligned to the abovementioned 'journalistic principles' than previous research seems to suggest. Indeed, the findings raise important questions as to the cogency of the elite-driven model (redefined in this thesis as government-driven) in non-US contexts. As Robinson et al. (2010) argue, a large majority of the theories relating to media-state relations, especially the elite-driven model, were devised and applied to US contexts, and thus there is considerable scope for further comparative research in this area (Ibid.: 174). Certainly, as this thesis and the works of Robinson et al. suggest, the independent (adapted to the adversarial character of the British press) and oppositional models might prove to be more apposite to examining British press performance in its coverage of national security policy contexts. This thesis attempts to make a modest contribution to media-state nexus research within this particular policy domain.

8.4 Media-State Relations: The View from Westminster

Whilst the views of the media are evident in their various outputs, the views of government officials are often hidden behind the official Westminster consensus. Thus, the interviews provided a means to gain greater insight into the dynamics of the media-state nexus from the perspective of those in front-line political positions. Several distinct themes emerged from the interviews, namely:

1. The press was perceived to have significant influence over defining the parameters of political debate in parliament.
2. The level of press influence over individual political decision-making varied across policy areas. However, none of the interviewees believed that the press (or

the media more generally) had any significant impact over terrorism policy-making decisions. However, most admitted that the press had at one time or another influenced the trajectory of a particular issue in other policy domains.

3. There was a general sense of distrust of the press amongst the home secretaries and their colleagues, but at the same time, the press was perceived as a vital conduit for political communication.

4. The changing media landscape has had an immense impact on political life, in terms of its changing foci and the speed in which politicians have to respond.

5. In the final analysis, none of the interviewees regarded the press as effective scrutinisers of terrorism policy, which in their view, belied its status as the 'Fourth Estate'.

This section will now expand on the above themes, with particular reference to the comparative features between the interview data presented in the present study and Davis's interview-based studies on journalist influences on political issue agendas at Westminster (Davis, 2007a; 2007b; 2010).

All of the Home Secretaries interviewed viewed the press as having significant influence over the parameters of parliamentary debate, but this varied across policy domains. For Blunkett and Smith it was inevitable that issues highlighted in the press would be reflected in parliament, especially in relation to crime and security issues, which were highly salient to both the public and the press. Straw believed that the press had most influence over parliamentary debate when an issue arose suddenly. Contrastingly, Clarke maintained that the press

‘substantially influenced the parameters of political debate over a considerable period. They changed the climate and...were very important in setting the agenda and in giving a tone to the response to the agenda issues as they arose’ (Interview with author, 4 February 2014). This was especially the case in regards to crime issues, but less so in areas of national security. These views chime with the interview material presented in the studies by Davis, in which ‘most MPs’ were able to provide ‘examples of when the weight of a media campaign had been responsible for initiating or altering new legislation’, with several referring to ‘media campaigns being the main driving force behind an issue agenda, policy shift, or ministerial resignation’ (Davis, 2007a: 186).

In terms of the impact of the press on political decision-making, all of the interviewees cited examples where the press had influenced policy, or the course of a particular issue, to some degree. One such example cited by Straw was the ‘save Ben James campaign’ which was started by the *Daily Express* to persuade Straw to reverse a deportation order against a Nigerian commodities broker who had been living in Britain since the age of fourteen. Consequently, the press campaign led to Straw revoking the deportation order and allowing James to remain in Britain. Straw admitted that ‘the truth [was] he would have been deported but for media pressure’ (Interview with author, 12 February 2014). Straw also believed that the press had had significant influence over some of the extradition cases to America. Similarly, Blunkett revealed that there were occasions when a media campaign made him re-examine an issue, although he maintained that the press did not influence any policy outcomes whilst he was

Home Secretary. Clarke and Smith both cited the *News of the World* campaign for ‘Sarah’s Law’¹⁰⁵ as being a prime example of the agenda setting power of the press. Press focus on the European Union and asylum and immigration were other broad areas where the press had some level of influence. Although Smith maintained that she did not abandon any policies due to pressure from the press, she did admit that ‘the progress of ID cards was slower than it would have been had it not been for the press’ (Interview with author, 5 March 2014).

As documented in previous chapters, there was a deep sense of distrust and guardedness amongst the Home Secretaries toward the press. At the same time, all stressed (some reluctantly so) the vital importance of the press in terms of its political communicative function in a democracy. Like Davis’s findings, ‘discussions of policy were frequently linked to the issue of how the policy would play in the media’, which Davis defines as a ‘media anticipatory effect’ (Davis, 2007b: 104). A key complaint of the media has been the overreliance of politicians on ‘spin’ to present their policies, and their reluctance to speak ‘the truth’ on record (Phillis, 2004: 2). This, claimed the Home Secretaries, was wholly due to the relentless misrepresentation of their policies in the press, which in turn had hindered any meaningful public debate on policy. For Clarke, besides ‘the mischief and malevolence’ of the press, ‘the biggest factor was its laziness’ resulting in a ‘group think culture, which just doesn’t think properly about things and can’t be bothered to explain to people what the situation is’ (Interview with author, 4 February 2014). Similarly, Smith argued that she found it difficult to

¹⁰⁵ ‘Sarah’s Law’ refers to a child sex offender disclosure scheme, which allows parents to apply formally to the police to check whether an individual has a record for child sexual offences.

engage the media in any meaningful dialogue around policy issues. Indeed, any hint of policy uncertainty amounted to political suicide. For Smith, there was immense pressure to ‘express [her]self with absolute certainty all the time’ for fear of being misrepresented or for an off-handed comment to be needlessly over-amplified (Interview with author, 5 March 2014). Consequently, she simply stopped engaging with the media in any profound sense, other than to relay a ‘press release version’ of policy via official channels. Again, these themes also resonate in Davis’s studies, where politicians generally shared ‘a high degree of skepticism’ toward the news media (Davis, 2007b: 102).

One of the key themes to emerge was the immense impact a changing media has had on politics (Silverman, 2012). Firstly, the influence of celebrity culture, with its focus on political personalities has had a detrimental impact on politics (Davis, 2010; and Louw, 2010). Secondly, the 24/7 mediasphere has had a qualitative impact on government-press relations, especially concerning the speed in which politicians need to respond to particular issues. Just weeks after the TA 2006 gained the Royal Assent, Clarke faced a particularly hostile onslaught from the press over the ‘foreign prisoners’ scandal, which resulted in his sacking. Recalling the pressure he felt from the media during the furore, Clarke said:

For a government to respond quickly and accurately is very, very difficult.

On foreign national prisoners, there was a long issue going on, which lasted for about four or five days (about how many there were). And you couldn't give an answer because you didn't know and so if you gave an answer which was wrong, then it was an even more chaotic situation. So,

the speed of the news agenda is an absolutely dominant factor that everybody has to address and that is the story of modern media.

(Interview with author, 4 February 2014)

There was a general sense amongst the interviewees that negative or distorted press attention on a particular issue needed a swift response from government before it developed a life of its own. As Straw argued: 'I've seen a number of colleagues who did not spot the early warnings from the newspapers and then got engulfed in quite serious problems' (Interview with author, 12 February 2014). However, despite Blunkett's obsession with trying to control the media agenda, and responding to issues as they arose, he believed that in hindsight he and his colleagues had 'probably felt under more pressure than [they] really were' (Interview with author, 21 March 2014). He went on to say:

I think when things arose, we felt that if we didn't give an answer, the thing would have legs of its own and would take off. Whatever the line that was being run, it would run and run, and we'd have greater difficulty in pulling it back. On occasions, I think we probably overestimated the likelihood of that, and the power of the media.

(Ibid.)

Finally, all of the Home Secretaries regarded the press as ineffective scrutinisers of terrorism policy, which in their view, negated their traditional role as the watchdogs of the state. Instead, they argued that, for the most part, the press were more interested in political conflict stories, often at the expense of substantive

debate on government policy. Interestingly, the home secretaries remained convinced that the terrorism legislation enacted under New Labour was a proportionate response to the threat level. Even Clarke and Smith, who both left politics in 2010, did not alter their stance. Only Straw expressed some uncertainty on the 90 days provision, which in retrospect he believed to be excessive.

In terms of the theoretical implications, unlike Davis, who found that to some extent his findings provided ‘evidence of a classic political agenda-setting paradigm’ (albeit a more nuanced paradigm than the simplistic stimulus-response model implies), this was not the case in regards to the media’s role in the passage of the terrorism policy (Davis, 2007b: 101).¹⁰⁶ Indeed, as Straw argued, the media’s role in terrorism policy debates was largely ‘benign’ (Interview with author, 12 February 2014). Instead, the Home Secretaries credited parliamentarians, the judiciary, the police and security services – and indeed, the public – as having far more sway over eventual policy outcomes than did the media. As this thesis has argued, the home secretaries believed – rightly or wrongly – that they had significant support from the public. Indeed, it would appear that on this occasion, press opinion was largely at odds with public sentiment.

8.5 Summary

This chapter has provided a comparative analysis of the four case studies. Overall, the findings reveal that of the three meta-frames (national security, civil liberties

¹⁰⁶ However, in other policy areas, the interview material gleaned for this thesis corroborates some of Davis’s findings.

and party politics), the politics frame dominated across all four case studies. Returning to the key question: ‘How independently [did] the media frame issues and events, versus simply passing along to the public the frames originated by powerful political actors?’ (Lawrence, 2010: 265), the evidence suggests that although government sources dominated the debates, they had limited influence over the news agenda, which runs contra to the government-driven hypothesis. Instead, at an aggregate level, the evidence lends greater support for the independent model. There is also evidence that some sections of the press did subject the legislation to more robust scrutiny, and thus, to some degree, fulfilled their role as political watchdogs, which supports the oppositional thesis. The following chapter provides a summary of the findings, before discussing the theoretical implications and contributions of the research, the strengths and limitations of the conceptual framework, as well as possible areas of future inquiry.

CHAPTER 9

CONCLUSION

Post-9/11, the New Labour government introduced an unparalleled amount of terrorism legislation in the form of the Anti-Terrorism, Crime and Security Act 2001, the Prevention of Terrorism Act 2005, the Terrorism Act 2006, and finally the Counter-Terrorism Act 2008. The intention of this thesis was to explore the media-state nexus in the context of the passage of the aforementioned legislation, specifically analysing the media framing of the policymaking cycle. Many previous studies that have examined the relationship between the media and the state in the context of policy responses to the ‘war on terror’ have found evidence to support the elite-driven model (redefined in this thesis as government-driven), whereby the media have been shown to fail in their adversarial ‘watchdog’ role by acting as ‘faithful servants’ to the government (Wolfsfeld, 1997). As summarised below, this thesis found that this was not the case in regards to domestic terrorism policymaking, and rather than be the servants to the government and other elites, this thesis has argued that the performance of the British press largely supported the independent model. This chapter outlines the key research findings, before discussing the theoretical implications of the study and its contribution to knowledge, the strengths and limitations of the conceptual framework, before concluding with an outline of possible areas for future inquiry.

9.1 Summary of the Research Findings

The aims of this thesis were to analyse the press coverage of the legislative debates, principally in terms of ascertaining which issues received the most attention, how these issues were framed and by whom. The overarching intention was to gain greater insight into media-government relations in the context of terrorism policy by assessing the extent to which the press criticised or reinforced the government agenda. Taking a longitudinal approach, the research questions were formulated to discern the level of press attention, the prominence of particular issues, media-source relations, the predominant news frames, as well as the media-political dynamic during the policymaking process. The empirical findings are outlined below.

In relation to RQ1 (press attention), all of the Acts received a significant amount of press attention, with attention peaking during the passage of the PTA 2005. Possible reasons for this were the relative short duration of its passage, alongside the perceived pressure of having to legislate to deal with the impending release of the Belmarsh prisoners after the Law Lords ruling. That said, given the immediacy of the cataclysmic events of 9/11 and 7/7, it was still surprising that the ATCSA 2001 gained the least coverage, and that the TA 2006 did not receive as much press attention as the PTA 2005. In explaining why the ATCSA 2001 received the least coverage, this could have been a reflection of the lack of elite dissensus in the Commons.

In relation to RQ2 (press-source relations), the findings revealed that elite sources dominated the parameters of the debates. However, this did not necessarily transpose to the framing of events by the press. Indeed, there is considerable evidence that the press pursued an independent line of inquiry, followed by occasions where its framing reflected elite dissensus. In terms of elite challengers, these had the most representation in the CTA 2008, whereas government sources dominated the other three case studies. In terms of the prominence of non-elite sources, such as civil liberties and Muslim advocacy groups, these had limited representation across all four case studies. Nonetheless, many of the concerns expressed by these groups were articulated by elite opposition sources. For example, the shadow home secretary, David Davis (2003–2008) was in close consultation with the director of Liberty, Shami Chakrabarti during the passage of the bills.

In relation to RQ3 (press framing), whilst there was some focus on civil liberties issues, the majority of the coverage reflected the politics frame. There was considerable focus on the conflict between political parties (especially between New Labour and the Conservative Party), between the government and the House of Lords, or on intra-party conflict (e.g. the government and Labour rebels or the divisions within the Conservative Party after the resignation of David Davis). The extent to which the press framed the debates within the broader rubrics of the ‘War on Terror’, human rights or civil liberties varied. The limited representation of the security frame demonstrates that the ‘War on Terror’ leitmotif was not heavily deployed in the press coverage. However, human rights and civil liberties

arguments did have significant expression as evidenced by the number of appearances of the civil liberties frame. In the case of negative criticisms of the HRA/ECHR and the perceived influence of the EU on British constitutional affairs more generally, this reflected conventional newspaper positions. On whether there was a qualitative change in the tone of coverage between 2001 and 2008, whilst there was broad support from some sections of the press for the ATCSA 2001, this had all but vanished by 2005, with the *Times* still offering a sliver of support (on some issues) in its coverage of the PTA 2005. From July 2005 onwards, however, the press was largely hostile to the government's policy agenda and to the politics of New Labour more generally. The exception to this being the *Sun*, which maintained its support for the government agenda throughout the period under investigation.

In relation to RQ4 (press-government relations), taken as a whole, New Labour was not very successful in setting and managing the media agenda, as reflected in the limited appearance of the security frame. In terms of the media-political dynamic during the policymaking process, although the home secretaries dismissed the notion that the press had any real sway over the terrorism policy agenda, it was evident that they all perceived the press as a vital medium for communicating with the public, but were often frustrated by their lack of success in influencing the press agenda. Indeed, the overall findings show that the press was highly critical of the official policy agenda.

9.2 Contribution to Knowledge

The research questions were examined within three competing theoretical models of media-state relations, namely the government-driven model (defined by Robinson et al. as elite-driven), the oppositional model, and the independent model. These models are based on the ones outlined by Robinson et al. (2010), whose study synthesised a range of theoretical positions, with the overarching tripartite framework drawn from Hallin's (1986) media spheres model and Wolfsfeld's (1997) political contest model. To assess the extent to which each model prevailed, this thesis constructed a frame matrix based on the signature matrix originally devised by Gamson and his colleagues. As laid out in Chapters 2 and 3, the media performance models were further modified and characterised as follows:

- Press coverage that reflected the government-driven paradigm was characterised as being largely supportive of the government and its policy aims, with much of the coverage reinforcing the government's preferred security frame. The meta-frame was security, with the media package defining the debates as a proportionate legislative response.
- Press coverage that reflected the oppositional paradigm was characterised as being largely against the government and its policy aims, with much of the coverage reinforcing the discourse of politicians, peers and interest groups that opposed the legislation due to its negative impact on civil liberties. The meta-frame was civil liberties, with the media package defining the debates as a disproportionate legislative response.

- Finally, press coverage that reflected the independent model was characterised as largely using the legislative debates as a conduit either to criticise the politics of New Labour or to focus on the political conflict between or within parties. Consideration of the legislation itself was limited, often reflecting a neutral editorial stance. The meta-frame was politics, with the media package reflecting a party politics focus.

In terms of the study's theoretical contribution, the findings revealed that there was significant focus on party politics (politics frame), which represented the independent model. Some sections of the press also devoted significant coverage to civil liberties issues (civil liberties frame), which represented the oppositional model. Modifications were made to these models to fit the particular circumstances of the adversarial character of the British press. The independent model in particular draws on an eclectic range of research paradigms that moves the model beyond normative definitions of press objectivity, and allows for a more nuanced understanding of what constitutes independent press reporting in the British context. The findings presented in this thesis contradict previous findings where the elite-driven (redefined in this thesis as government-driven) paradigm has dominated media coverage during times of conflict or national emergencies, where the press tended to operate within the bounds of patriotism. Instead, the most surprising theoretical implication was the trend for independent, and to a lesser extent, oppositional coverage in the British press.

Thus, this thesis also contributes to the theoretical debate about the democratic function of the press in Britain. Indeed, in the post-Leveson era, there has been a radical rethinking of the societal role of the press, especially in regards to its relationship to the state. Whilst many still champion the merits of the press as a functioning Fourth Estate, others are predicting its imminent demise.¹⁰⁷ The most surprising finding, that the press coverage provided significant support for the independent model, also revealed that, even in times of national emergencies, the British press maintained its adversarial stance. Speaking about the profound media backlash to the government's 'spinning' of the Iraq war, Gavin (2010) argued: 'We might not always appreciate the pugnacity and independence of the British media, but herein perhaps lies some hope for its role within the British political process' (Gavin, 2010: 80). Indeed, whilst the Leveson inquiry did highlight some truly shocking behaviour from some sections of the British press, that politicians are still rankled by press coverage can only be applauded. Interestingly, despite their antithetical stance toward the press, the home secretaries themselves argued that the demise of the British press would not be in the interest of democracy.

¹⁰⁷ It is instructive to note that these arguments tend to be in relation to the press in its 'old media' form as opposed to its online presence. In the online circulation war, the *Mail Online* continues to triumph, with the ABC (Audit Bureau of Circulations) November 2013 figures recording 168 million global browsers to its website in a month, whilst its nearest competitors, *theguardian.com* recorded figures of nearly 84 million, *Telegraph.co.uk* 60 million, and *Mirror Group Digital* 40 million. In January 2012, the internet traffic auditor comScore announced that the irrepressible *Daily Mail* brand had traversed borders to become the most accessed news website in the world, a position previously held by the online edition of the *New York Times* (Greenslade, 2012). Many critics believe that the popularity of the *Mail Online* is due to both its easy to navigate website design and its eclectic mix of hard news and celebrity gossip. Moreover, unlike some of its competitors it has created a distinct business model for its online edition, by breaking with 'the editorial priorities of its print counterpart' (Bateman, 2012).

So far, longitudinal studies that map the UK media-state nexus within the context of terrorism policymaking have been limited. This thesis therefore, goes some way to address this gap in the scholarship. Furthermore, studies that deal primarily with press coverage of the UK policymaking cycle within the domestic context are also lacking. Indeed, as previously discussed, much of the media-state nexus research has hitherto focused on the foreign policy domain, or been applied to US contexts. Again, this study makes a modest contribution to this particular field of inquiry. In terms of the theoretical implications, it concurs with Robinson et al. (2010) who found that US-devised models of media-state relations could prove problematic when applied to non-US contexts, on the basis that the UK media differs significantly to its US counterpart. For this reason, the adapted model could prove useful when applied to the policymaking process in the UK, especially within domestic policy domains. Furthermore, it could offer an alternative measure for other countries with media environments more comparable to the UK than the US.

9.3 Strengths and Limitations of the Conceptual Framework

The adoption of the tripartite media performance models of Robinson et al. have allowed for a more theoretically informed analysis of media-state relations in the context of the domestic policy domain. Moreover, the rejection of the traditional diametrically opposed models of pro- and anti-government has enabled ‘a much richer and more diverse understanding of media-state relations’ (Robinson, 2011). Robinson et al. argued that a more nuanced approach to understanding patterns of media performance was required, with new institutionalism and field theory

frameworks being proposed as a way forward in analysing media-state relations. Although the independent and oppositional models both predict instances where coverage is antipodal to the government's position, this study provides further evidence of substantive differences in the type of coverage each model would predict. In summary, the oppositional model predicted coverage that overtly challenged the government's counter-terrorism agenda, whilst the independent model predicted coverage that focused on aspects of the debates that reflected the longstanding concerns and biases of particular newspapers. Had this thesis employed a traditional binary model of media-state relations, i.e. pro- versus anti-government, the subtleties of the data would have been lost. Indeed, whilst the politics frame and civil liberties frame could both be characterised as unsupportive of the government, the core positions and depictions inherent to each frame were markedly diverse, and consequently each frame required alternative theoretical explanations.

However, the models are not without weaknesses or limitations. In the Iraq War study, Robinson et al. found that the coverage in the *Sun* was overwhelmingly supportive of the government's position, which corresponded with their elite-driven model. Similarly, the present study found that the *Sun* consistently reflected the government stance on the counter-terrorism legislation, which corresponded with the government-driven model. However, this does not take into account the political and ideological biases of the newspaper. Thus, it is important to state that, at times, the models do prove somewhat problematic in terms of defining what constitutes 'independent' reporting. For example, it could be argued

that the *Sun*'s security-centric coverage was actually consistent with the political and ideological ethos of the newspaper, and that rather than acting as a 'faithful servant' to the government, the newspaper was in fact following its own (independent) agenda. This, then, would more closely reflect the independent model. Indeed, had the government taken an alternative approach (such as being more sympathetic to the civil liberties perspective), might the *Sun* have maintained its pro-security stance and instead portrayed the government unfavourably? Similarly, would the Tory press have been so anti-legislation had a Conservative government introduced the Bills? Although this thesis does not provide any definitive answers to these questions, it does highlight these issues for future debate on the models. It should also be noted that even Robinson (2011) emphasises that the models are 'very much an initial step, and idea that requires much further attention by way of theoretical development and testing. But the framework...does promise to achieve a number of advances in terms of how we all think about media-state/political relations' (Robinson, 2011).

9.4 Scope for Further Research

As pointed out in the introduction, the multidisciplinary nature of this research, which spans aspects of the media, politics and the law, is fundamentally rooted in the scholastic traditions of media studies and political communication. That said, this research might provide useful data for scholars working in the areas of political science or the law in terms of its focus on the policymaking cycle, as well as the potential impacts of the media on these processes. Terrorism policy is a dynamic area of research, and an area that is rich with possibility. Even since this

PhD topic was first conceived, there has been tremendous change in both the realms of politics and the press, with both undergoing forensic examination by the Leveson inquiry. The defeat of the Brown government in 2010 ended thirteen years of New Labour, and heralded a new Conservative-Liberal Democrat coalition government. However, in many ways the terrorism policy concerns have remained somewhat familiar. The present government, which had largely fought on the side of civil liberties during New Labour's legislative drives, have faced the same quandaries as their predecessors, with the deportation fiasco of Abu Qatada being a direct legacy of the New Labour years. Moreover, recent atrocities carried out by British citizens under the auspices of the Islamic State (Isis) have led to the announcement of new tougher measures, with detractors of the proposals drawing on the same leitmotifs as before. Thus, there is an obvious opportunity to apply the same research paradigms to a new case study, such as the press framing of terrorism policy enacted under the coalition government. This would be an interesting comparative study with the New Labour years, especially given the previous positions of the Conservative and Liberal Democrat parties.

As scholars have argued, 'research on the media-policy nexus is still in its infancy' but nonetheless, it is an 'emerging [and] exciting area of academic investigation in which further work is clearly warranted' (Koch-Baumgarten and Voltmer, 2010: 225). Thus, the testing of the tripartite models on other policy domains, especially within domestic policy contexts would be another area of inquiry that could contribute further to this emerging field of research. As would a

cross-country comparative analysis, especially in regards to testing the cogency of the model in other non-US contexts.

The empirical contribution of this thesis was an explication of the longitudinal relationship between the press and the New Labour government during the anti-terrorism policymaking cycle. Its primary methodological approach was the examination of journalistic outputs, and to a lesser extent, interviews with key political actors involved in the policymaking process. In light of this, it does not make any claims to be a newsroom study, which would have necessitated a wider selection of interviews, viz. with journalists. Thus, this area is rich for further inquiry. During the interviews, David Blunkett and Jacqui Smith raised interesting points about the views of their constituents being out of step with the press, especially on matters of security and asylum and immigration. Therefore, it seems that this might also prove to be an interesting area of further inquiry, especially in examining the interplay between the media, politicians and their audiences.

Finally, given the widespread adoption of the internet and mobile technologies by British society, further research on the effects of these media on the press reporting of parliamentary debate, or indeed on the policymaking cycle itself, seems an obvious direction to pursue. It is instructive to note at this point, that the home secretaries interviewed for this thesis, were generally sceptical of the democratising potential of social media and as an enhancer of the political-public sphere. For the most part, they believed that not only is a professional media still needed as an organiser and analyser of news, but that the current usage amongst

politicians amounts to little more than ‘policy announcements’, as opposed to facilitating substantive policy debate. Indeed, many scholars have warned against being overly optimistic about the democratising function of the internet (Frost, 2010; Hermida & Thurman, 2008; Newman, 2011; Newman & Levy, 2013; O’Sullivan, 2012; Phillips, 2010; and Redden & Witschge, 2010). Nonetheless, it would seem that the new generation of politicians are seeing its potential as a tool for political communication and perhaps as a way of bypassing the oligopolistic media. Whilst there is a burgeoning body of work that has explored the impact of new media on political communications (Adi et al., 2014; and Lilleker & Jackson, 2011), studies on the impact of new media on the actual policymaking process are still in their infancy.

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APPENDIX 1

CONTENT ANALYSIS CODEBOOK

VARIABLE 1: ARTICLE IDENTIFICATION NUMBER

VARIABLE 2: NEWSPAPER TITLE

- 1) Daily Telegraph
- 2) The Times
- 3) The Guardian
- 4) Daily Mail
- 5) The Sun
- 6) Daily Mirror

VARIABLE 3: DATE

VARIABLE 4: ACT OF PARLIAMENT

- 1) Anti-Terrorism, Crime and Security Act 2001
- 2) Prevention of Terrorism Act 2005
- 3) Terrorism Act 2006
- 4) Counter-Terrorism Act 2008

VARIABLE 5: LENGTH OF ARTICLE (Words)

VARIABLE 6: LOCATION OF ARTICLE

- 1) Front Page
- 2) Inside Pages (General/Political News Sections)
- 3) Feature/Opinion/Commentary Sections
- 4) Editorial Section

VARIABLE 7: ARTICLE FORMAT

- 1) Hard News
- 2) News Background/Analysis
- 3) Editorial
- 4) Feature/Opinion/Commentary

VARIABLE 8: TYPE OF AUTHOR

- 1) Staff News Correspondent
- 2) Regular Opinion Writer
- 3) Guest Opinion Writer
- 4) Editorial Writer
- 5) Unattributed Writer

VARIABLE 9: NUMBER OF VISUALS

VARIABLE 10: VISUAL DEPICTIONS

VARIABLE 11: SOURCES CITED

- 1) Backbenchers (All Parties)
- 2) Civil Liberties Group
- 3) Conservative Party
- 4) Conservative Peers
- 5) Conservative Opposition MPs (code when at odds with party position)
- 6) Downing Street/Cabinet Office/Government
- 7) EU Justice and Home Affairs Council
- 8) European Court of Human Rights/Strasbourg
- 9) Home Office
- 10) House of Commons
- 11) House of Lords
- 12) Labour Party
- 13) Labour Peers

- 14) Labour Opposition MPs (code when at odds with party position)
- 15) Law Lords
- 16) Liberal Democrat Party
- 17) Liberal Democrat Peers
- 18) Liberal Democrat Opposition MPs (code when at odds with party position)
- 19) Ministry of Defence
- 20) Muslim Group
- 21) Opposition (Collective Parties/MPs)
- 22) Other Political Party
- 23) Other Peers
- 24) Police
- 25) Security Services (MI5 or MI6)
- 26) Speaker of the House of Commons
- 27) Special Immigration Appeals Commission (SIAC)
- 28) United Nations

VARIABLE 12: TYPE OF CITATION

All recorded speech in quotation marks should be coded. An example of a direct body/group would be “Liberty said...” You should code as an indirect citation when it is evident that the journalist has paraphrased an individual or body/group (e.g. ‘The Home Secretary said that he would do what it takes to protect our way of life’). Do not code if there is ambiguity as to whether an indirect citation is the sentiment of the journalist rather than the assertion of the source (e.g. ‘The Home Secretary must be feeling demoralised after his defeat in the Commons last night’).

- 1) Direct Individual
- 2) Indirect Individual
- 3) Direct Body/Group
- 4) Indirect Body/Group

VARIABLE 13: LENGTH OF CITATION

Use a paragraph as the unit of measurement. This will make comparison between direct and indirect quotations more straightforward, as paraphrased material can be especially problematic to measure in words, i.e. the distinction between the reporter's voice and the source's voice can sometimes be unclear, but generally, a single statement will constitute a paragraph. This also addresses instances where a reporter might use a combination of direct and indirect citations for the same source in a single paragraph.

VARIABLE 14: SOURCE POSITION ON LEGISLATION

- 1) Pro-Legislation
- 2) Anti-Legislation
- 3) Mixed Position
- 4) Not Explicitly Stated

VARIABLE 15: REPORTER TONE TOWARD SOURCE

This variable takes into account the reporter tone toward the sources cited. If the reporter presents the assertions of the source without the inclusion of evaluative comments then code as straight reporting (this would typically apply to most brief news items). If the reporter clearly interpolates with evaluative comments that support or undermine the position of the source then code as reinforcing, mixed or deflating accordingly.

- 1) Straight (Non-evaluative)
- 2) Reinforcing
- 3) Mixed (Combination of reinforcing and deflating evaluations)
- 4) Deflating

VARIABLE 16: STORY ACTORS/BODIES AS SUBJECT

This code applies when a particular actor (e.g. David Blunkett or Tony Blair) or body (e.g. the Government or the Police) constitutes a major part of the story. For example, an article focusing on the weaknesses or strengths of a particular Home Secretary in the context of the policy debates would qualify for inclusion.

Similarly, if a story should focus on the divergent views of the government and a particular civil liberties group, each actor/body should be coded. However, do not code every actor/body mentioned by rote. For example, if the story should mention the Speaker of the House of Commons in the context of maintaining order, this would not qualify for inclusion.

- 1) Backbenchers (All Parties)
- 2) Civil Liberties Group
- 3) Conservative Party
- 4) Conservative Peers
- 5) Conservative Opposition MP (code when at odds with party position)
- 6) Downing Street/Cabinet Office/Government
- 7) EU Justice and Home Affairs Council
- 8) European Court of Human Rights/Strasbourg
- 9) Home Office
- 10) Home Secretary
- 11) House of Commons
- 12) House of Lords
- 13) Labour Party
- 14) Labour Peers
- 15) Labour Opposition MP (code when at odds with party position)
- 16) Law Lords
- 17) Liberal Democrat Party
- 18) Liberal Democrat Peers
- 19) Liberal Democrat Opposition MP (code when at odds with party position)
- 20) Ministry of Defence
- 21) Muslim Group
- 22) Opposition (Collective Parties/MPs)
- 23) Other Peers
- 24) Other Political Party

- 25) Police
- 26) Prime Minister
- 27) Security Services (MI5 or MI6)
- 28) Special Immigration Appeals Commission (SIAC)
- 29) United Nations

VARIABLE 17: ACTORS/BODIES POSITION ON LEGISLATION

- 1) Pro-Legislation
- 2) Anti-Legislation
- 3) Mixed Position
- 4) Not Explicitly Stated

VARIABLE 18: REPORTER TONE TOWARD ACTORS/BODIES

This variable takes into account the reporter tone toward the actors/bodies as subject. If the reporter presents the facts of the story without the inclusion of evaluative comments then code as straight reporting (this would typically apply to most brief news items). If the reporter clearly interpolates with evaluative comments that support or undermine the position of the story actor then code as reinforcing, mixed or deflating accordingly.

- 1) Straight (Non-evaluative)
- 2) Reinforcing
- 3) Mixed (Combination of reinforcing and deflating evaluations)
- 4) Deflating

VARIABLE 19: FRAMING DEVICES PRESENT

Code each occurrence.

19.1 Security frame:

- 1) Metaphors/Lexical Choices
- 2) Exemplars
- 3) Catchphrases

19.2 Civil Liberties frame:

- 1) Metaphors/Lexical Choices
- 2) Exemplars
- 3) Catchphrases

19.3 Politics frame:

- 1) Metaphors/Lexical Choices
- 2) Exemplars
- 3) Catchphrases

VARIABLE 20: CORE POSITIONS/DEPICTIONS PRESENT

Use a paragraph as the unit of measurement.

20.1 Security frame:

- 1) Legislation proportionate to threat level
- 2) Legislation safeguards fundamental rights and freedoms
- 3) Derogation from HRA/ ECHR necessary measure for national security
- 4) Government defeat in Commons/Lords negative development
- 5) Opposition illogical, undemocratic and/or unpatriotic
- 6) Legislation safeguards ethnic minorities and strengthens race relations
- 7) Threat level requires urgent passage of the Bill
- 8) UK position in the broader 'war on terrorism' strengthened by legislation

20.2 Civil Liberties frame:

- 9) Legislation disproportionate to threat level
- 10) Legislation compromises civil liberties and human rights
- 11) Excessive state powers / laws and legal definitions too wide-ranging
- 12) Derogation from HRA/ ECHR negative for civil liberties/human rights
- 13) Government defeat in Commons/Lords positive development

- 14) Opposition defenders of fundamental rights and freedoms
- 15) The construction of suspect communities and destabilisation of race relations
- 16) Lack of parliamentary scrutiny
(code if the focus is on the implications for the legislation rather than for politics per se)
- 17) Legislation increases risk of terrorist attacks

20.3 Politics frame:

- 18) Negative references to HRA and/or ECHR *(as attack on New Labour politics)*
- 19) Negative references to EU or the European Court of Human Rights *(as attack on New Labour politics)*
- 20) Intra party conflict / Labour rebellion
(in context of party disunity undermining Prime Minister's authority as opposed to the impact on the legislation itself)
- 21) Conflict between government and MPs/Lords
(as comment on excessive government powers)
- 22) 'War on terror' being evoked to justify draconian laws / abuse of power
- 23) Lack of parliamentary scrutiny
(code if discussed in the context of New Labour's modernising project, with limited focus on the legislation itself)
- 24) Labour MPs are lapdogs to the government
- 25) Government policy on asylum and immigration is weak
- 26) Blair/Brown leadership undermined by Commons/Lords defeat

VARIABLE 21: REPORTER TONE TOWARD CORE POSITIONS PRESENTED

This variable takes into account the reporter tone toward the core positions presented. If the reporter presents the facts of the story without the inclusion of evaluative comments then code as straight reporting (this would typically apply to most brief news items). If the reporter clearly interpolates with evaluative

comments that support or undermine the core positions presented then code as reinforcing, mixed or deflating accordingly.

- 1) Straight (Non-evaluative)
- 2) Reinforcing
- 3) Mixed (Combination of reinforcing and deflating evaluations)
- 4) Deflating

VARIABLE 22: REASONING DEVICES PRESENT

Code each occurrence.

22.1 Security frame:

- 1) Roots
- 2) Consequences
- 3) Appeals to principle

22.2 Civil Liberties frame:

- 1) Roots
- 2) Consequences
- 3) Appeals to principle

22.3 Politics frame:

- 1) Roots
- 2) Consequences
- 3) Appeals to principle

VARIABLE 23: PREDOMINANT FRAME(S)

A predominant frame is when 50 per cent of the article displays the framing and reasoning devices of a particular frame. Where no single frame predominates, use a 'mixed' code if applicable or code as 'none present' if no framing or reasoning

devices can be detected (e.g. brief news items might be frameless). If the selection of a particular frame is marginal, the cues for the overall tenor of the article should be drawn from the lexical choices present in the headline and lead paragraph.

- 1) Security
- 2) Civil Liberties
- 3) Politics
- 4) Mixed Security, Civil Liberties and Politics
- 5) Mixed Security and Civil Liberties
- 6) Mixed Security and Politics
- 7) Mixed Civil Liberties and Politics
- 8) None/Insufficient Frames Present

APPENDIX 2

Signature Matrix with Competing Theoretical Models

<i>Media Performance Model</i>	<i>Government-Driven</i>	<i>Oppositional</i>	<i>Independent</i>
	<i>The media will largely be supportive of the government and its policy aims, with much of the coverage reinforcing the government's preferred security frame.</i>	<i>The media will largely be against the government and its policy aims, with much of the coverage reinforcing the discourse of politicians, peers and interest groups that oppose the legislation due to its negative impact on civil liberties.</i>	<i>The media will largely use the legislative debates as a conduit either to criticise the politics of New Labour or to focus on the political conflict between or within parties. Consideration of the legislation itself will be limited, often reflecting a neutral editorial stance.</i>
META-FRAME	Security	Civil Liberties	Politics
<i>Package</i>	Proportionate Legislative Response	Disproportionate Legislative Response	Party Politics Focus
<i>Core frame</i>	The issue is the immediate threat that post 9/11 terrorism poses to the nation's way of life, and the most effective legislative means to protect British citizens. The issue of security requires urgent action and must be viewed within	The issue is the impact the legislation will have on civil liberties, human rights and minority Muslim groups. There is also concern that the legislation will undermine community cohesion, as well as augment the	The issue is the state of UK politics itself – with a focus either on the politics of the New Labour government or on the political conflict between or within parties.

	the broader context of the 'war on terrorism'.	powers of the state without any utilitarian gain.	
<i>Core position</i>	<p>The new terrorism posed by the events of 9/11, and the resulting 'war on terrorism', requires extraordinary measures to safeguard UK citizens. Thus, the legislation is not only deemed vital for national security but is a proportionate response to the current threat level.</p>	<p>The legislation erodes civil liberties and has a negative impact on human rights. The proposed legislation with its inclusion of measures that enhance state power has no substantive benefit other than to make the government look as though it is tackling the terrorist threat. The legislative response is disproportionate to the actual threat level.</p>	<p>New Labour's modernising project is to the detriment of democracy. Too much power resides with the executive, which has led to the government abusing its power to bring in too many draconian laws, without adequate parliamentary scrutiny. Labour MPs have become lapdogs to the government. At the other end of the spectrum, disunity within the Labour Party is evident, and indicates that Blair has lost authority over his own party.</p>
<i>Metaphors & Lexical Choices</i>	<p>Terrorism seen as 'act of war', 'battle' or 'disease' that needs to be 'fought' and 'won' or 'excised from humanity'; Government as the 'moral guardians' of democratic values; Opposition</p>	<p>Government depicted as 'warmongers' or 'scaremongers' or as an 'authoritarian regime'; Government using the Bill to 'smuggle' in wide ranging measures not relevant to current threat levels; Britain</p>	<p>MPs/peers depicted as 'rebels' or 'revolutionaries'; Government at 'war' or doing 'battle' with own party members and/or oppositional parties; Government referred to as 'dictatorial' in its approach to governance.</p>

	depicted as ‘traitors’ in the ‘war on terror’; Measures required to ‘defeat the [foreign] enemy [within]’ .	becoming a ‘Big Brother’ state; ‘Ancient freedoms’ under threat.	
<i>Exemplars</i>	Legislation is strengthening national security; The government is winning the war on terrorism. <i>Historical exemplars</i> might include the ‘Spirit of the Blitz’ and the unifying of Britain in times of war.	Rebel MPs/peers successful in tempering some of the measures contained in the terrorism Bill. <i>Historical exemplars</i> might include the failure of internment in the PIRA era.	Home Secretary losing the battle against rebel MPs/opposition. <i>Historical exemplars</i> might include the Maastricht Rebellion when rebel MPs in John Major’s government voted against the Maastricht Treaty (Treaty on the European Union).
<i>Catchphrases</i>	State of emergency; War on terrorism; Crackdown on terror; Vital we ‘protect our way of life’; Those who oppose the Bill are ‘airy fairy liberals’.	Draconian laws and/or powers; Traditional freedoms/civil liberties under threat; Government is ‘riding roughshod over democracy’.	Home Secretary under fire; Rebel MPs savage Bill; Lack of parliamentary scrutiny; New Labour abusing power.
<i>Depictions</i>	Legislation depicted as proportionate response to current threat level; Government depicted as tough but even-handed in its approach to	Legislation depicted as undermining civil liberties; Stories that deal with the impact the legislation is having on individuals’ human rights;	New Labour policies and governance depicted in a negative light; Personal attacks on Blair/Brown leadership and/or attacks on the competency of

	handling the terrorist threat. Oppositional voices represented as illogical, undemocratic and unpatriotic in the face of the current threat.	Government depicted as excessive and authoritarian in its approach to dealing with the terrorism threat; Oppositional arguments depicted as rational and apolitical in tone.	Home Secretary; Human Rights Act and ECHR heavily criticised; Disharmony within the Labour Party used to undermine government authority.
<i>Roots</i>	Terrorists willing to be suicide bombers necessitate policies that can deal with this new terrorism threat.	In its desire to be seen to act, the government has rushed to legislate without adequate deliberation or scrutiny.	New Labour's modernising of parliament and the reforms to the House of Lords has undermined the parliamentary process.
<i>Consequences</i>	Without legislative action, the UK leaves itself vulnerable to a terrorist attack.	The introduction of wide ranging laws have undermined civil liberties.	The government has too much unchecked power.
<i>Appeals to principle</i>	UK citizens deserve measures that will keep them safe and safeguard their way of life. Terrorists must not be allowed to win the 'War on Terrorism'.	Present legislation is adequate to deal with the perceived terrorist threat. Further legislation will only serve to augment state power without enhancing security. In fact, some of the measures contained in the Bill could make the UK even more of a terrorist target.	New Labour should revise its approach to leadership and governance or else face an increase in rebellions from Labour backbenchers and peers alike.

Appendix 3 Interview Schedule: The Rt Hon David Blunkett

Date and Location: Friday 21st March 2014 @ 11.30, London

1. To what extent did the press influence the parameters of political debate in parliament on a typical day? Which newspapers did you consider the most significant in terms of their agenda setting ability? Did this change over time or across policy areas (e.g. between education and criminal justice policy)?
2. Whilst you were Home Secretary were there instances when press coverage led you to pursue (or abandon) a particular policy initiative. If so, could you provide an example of a policy issue where attention from the national press had a direct impact on political decision-making?
3. Critics have argued that there was already a crisis of insecurity in the UK prior to the events of 9/11 (e.g. the race riots in the summer of 2001 and the increasing prominence of far-right groups, as well as mounting fears on asylum and immigration).
 - a. In your view, what part did the media play in heightening these insecurities?
 - b. Your appointment as Home Secretary certainly seemed to signify that the Home Office was about to take a tougher approach on issues such as crime and immigration. Do you think this was a deliberate ploy by Tony Blair to restore public trust?

c. How did you go about using the media as a conduit to allay public fears on the breakdown of community cohesion, immigration and security pre- and post-9/11?

4. Despite initial support, the press were highly critical of some of the measures contained in the Anti-terrorism, Crime and Security Bill (e.g. the inciting religious hatred clause).

a. During the passage of the Act, what role did you personally take in regards to communicating the government agenda and in minimising negative reporting?

b. What is your response to criticisms that security became too politicised after 9/11, and that some of the political responses to terrorism actually had the effect of heightening public anxiety?

5. Both you and Charles Clarke have indicated that the era of 24/7 media has meant that ‘instant response was everything and ... no pause for reflection justifiable.’ On reflection, were there certain policy areas in which you felt greater pressure from the media to respond instantly?

6. In the context of a changing media (e.g. 24/7 rolling news, tabloidisation, personalisation):

a. Did you notice a qualitative change in government-press relations over the course of your ministerial career?

b. What impact has a changing media environment had on the reporting of politics/policymaking?

7. Looking back on your ministerial career, do you believe the British press has subjected terrorism and security policy to robust scrutiny? Have they fulfilled their adversarial watchdog / Fourth Estate role for the good of public or self-interest?

8. In the context of terrorism policymaking, what are your recollections of trying to square the circle with regards to criticisms relating to the erosion of civil liberties on the one hand, and the press obsession with the ECHR and Human Rights laws on the other?

9. You make a point about the media's role, particularly citizen journalism, on the day of the 7 July 2005 bombings in London. You state that 'the news media were ahead of the material being presented to us'. Looking to the future, do you think that social media will diminish the power of the press, if so, what impact might this have on the communication of politics, and political life in general?

10. You have previously spoken of the role your constituency has played in shaping your attitudes towards crime and security. You have said that there was a need to demonstrate that you were on their side.

a. To what extent did these concerns, as expressed by the local press and/or your constituents, transmute into policy?

b. Was there ever a disconnect between media sentiment and the sentiment of your constituents on issues of security/terrorism, civil liberties or human rights?

Appendix 4 Interview Schedule: The Rt Hon Charles Clarke

Date and Location: Tuesday 4th February 2014, 11:30, London

1. To what extent did the press set the parameters of political debate in parliament on a typical day? Which newspapers did you consider the most significant in terms of their agenda setting ability? Did this change over time or across policy areas (e.g. between education and criminal justice policies)?

2. Have there been instances where press coverage led you to pursue a particular policy initiative. If so, could you provide an example of a policy issue where press attention had a direct impact on political decision-making?

3. You have previously said that ‘some dialogue between the senior judiciary and the executive would be beneficial, and finding a channel is quite important.’ The Law Lords ruled on the Belmarsh case on your first day as Home Secretary. A battle between the judiciary and executive ensued. What role did the media play in this struggle? (E.g. did the press exacerbate an already tense relationship or did they offer a conduit for interchange?)

4. Could you provide an insight into the day-to-day management of the press during the passage of the 2005/ 2006 terrorism legislation, especially in terms of communicating the government agenda and in minimising negative reporting?

5. In the context of terrorism policymaking, what are your recollections of trying to square the circle with regards to criticisms relating to the erosion of civil liberties on the one hand, and the press obsession with the ECHR and Human Rights laws on the other?

6. Has there been a qualitative change in government-press relations over the course of your ministerial career? For example, what impact has a changing media environment (e.g. 24/7 news outlets, the tabloidisation of the press) had on the government-press dynamic in the context of policy-making?

7. In your 2007 Royal Television Society speech, you state: 'Media competition was intensifying, both in broadcasting and print. Instant response was everything and no vacuum was acceptable, no pause for reflection justifiable.' On reflection, was there some policy areas in which you felt pressured to respond instantly, e.g. 7/7 or the deportation of foreign prisoners episode?

8. You also state: 'That media power has changed Government policy on important matters of substance. I have no doubt that media attitudes and threats have been decisive in influencing British attitudes to the European Union, in inhibiting reform in the criminal justice system...' What influence did the media have in the area of terrorism policy?

9. Was there ever a disconnect between media sentiment and the sentiment of your constituents on issues of security/terrorism, civil liberties or human rights, especially in the context of legislative responses to the Belmarsh case and 7/7?

10. Looking back on your ministerial career, do you believe the British press has been a robust critic of terrorism and security policy? Have they fulfilled their adversarial watchdog role for the good of public or self-interest?

11. David Blunkett makes a point about the media's role, particularly citizen journalism, on 7 July 2005. He notes that 'the news media were ahead of the material being presented to us'. Looking to the future, do you think that social media as a tool for government communication usurp the power of the press in the UK? If so, what impact would this have on future politics?

Appendix 5 Interview Schedule: The Rt Hon Jack Straw

Date and Location: Wednesday 12th February 2014 @ 15:00, Telephone

1. To what extent did the press set the parameters of political debate in parliament on a typical day? Which media titles did you consider the most significant in terms of their agenda setting ability?

2. In your Leveson witness statement you stated, 'In a policy area such as those covered by the Home Office and the Justice Ministry pressures from the press can be intense', and that there had been instances where press coverage had led you to pursue a particular policy initiative. Could you expand on these points and provide an example of a policy issue where press attention had a direct impact on political decision-making?

3. An interview-based study (Aeron Davis, 2007) on journalist influences on political issue agendas in Westminster found that issues and policy decisions are increasingly selected with 'future news headlines in mind', and that no policy is developed without considerable media management. Could you provide an insight into the planning of media management prior to the launch of a particularly divisive policy initiative?

4. Has there been a qualitative change in government-press relations over the course of your ministerial career? For example, what impact has a changing media

environment (e.g. 24/7 news outlets, the tabloidisation of the press) had on the government-press dynamic in the context of policy-making?

5. The passage of the Terrorism Act 2000 was not without its critics (e.g. the impact of Section 44 on civil liberties), but how much forethought was paid to the press on its launch and how did this compare to later security policy initiatives?

6. The Human Rights Act, known in some media quarters as the ‘villain’s charter’, has had a mixed reception. After 9/11, what efforts were made by the Government to encourage a positive ‘human rights culture’, especially in countering some of the negative press coverage of high profile cases where the perpetrator was seen to benefit rather than the victim?

7. In your Leveson witness statement, you stated, ‘As a decision-taker I took notice of the sentiment of the press, though I did my best to cross-check that with the sentiment of my constituents.’ Was there a disconnect between media sentiment and the sentiment of your constituents on issues of security/terrorism, civil liberties or human rights?

8. Looking back on your ministerial career, do you believe the British press has been a robust critic of terrorism and security policy? Have they fulfilled their adversarial watchdog role for the good of public or self-interest?

Appendix 6 Interview Schedule: The Rt Hon Jacqui Smith

Date and Location: Wednesday 5th March 2014 @ 14.30, Telephone

1. To what extent did the press influence the parameters of political debate in parliament on a typical day? Which newspapers did you consider the most significant in terms of their agenda setting ability? Did this change over time or across policy areas?
2. Have there been instances where press coverage led you to pursue (or abandon) a particular policy initiative. If so, could you provide an example of a policy issue where press attention had a direct impact on political decision-making? (E.g. the decision to reclassify cannabis as a Class B drug in May 2008?)
3. Reflecting on your personal experience as the first female Home Secretary, do you feel that press representation of your political decisions was markedly different to that of your male predecessors? If so, could you provide an example?
4. The first couple of days as Home Secretary you had to deal with the failed terrorist attacks in London and Glasgow. Critics have said that your response was calm and measured, and that there was a rejection of the 'war on terror' discourse in favour of a new rhetoric. What influenced this change in approach?

5. Could you provide an insight into the day-to-day management of the press during the passage of the Counter Terrorism Act 2008, especially in terms of communicating the government agenda and in minimising negative reporting?
6. From 2005 onwards, Number 10 (Tony Blair) seemed to be more involved with the Home Office when it came to the media management of terrorism policy, was this the case under Gordon Brown's premiership?
7. In the context of a changing media (e.g. 24/7 rolling news, tabloidisation, personalisation), did you notice a qualitative change in government-press relations over the course of your ministerial career? Looking to the future, do you think that social media will diminish the power of the press, if so, what impact might this have on the communication of politics?
8. In regards to the above, both David Blunkett and Charles Clarke have indicated that the era of 24/7 media has meant that 'instant response was everything and ... no pause for reflection justifiable.' On reflection, was there some policy areas in which you felt pressure from the media to respond instantly?
9. What are your thoughts on the argument that the police/MI5 used certain sections of the media to promote their support for the 42 days detention clause? In hindsight, do you think the arguments for 42 days detention an overstated case?

10. In the context of terrorism policymaking, what are your recollections of trying to square the circle with regards to criticisms relating to the erosion of civil liberties on the one hand, and the press obsession with the ECHR and Human Rights laws on the other?

11. A YouGov/*Telegraph* poll showed considerable public support for the 42 days detention policy, contra to the position the *Telegraph* was taking at the time. Was there ever a disconnect between media sentiment and the sentiment of your constituents on issues of security/terrorism, civil liberties or human rights?

12. Looking back on your ministerial career, do you believe the British press has subjected terrorism and security policy to robust scrutiny? Have they fulfilled their adversarial watchdog role for the good of public or self-interest?

Appendix 7 Source Positions on Legislation (ATCSA 2001)

Source Position	DT (N=64)	Times (N=52)	Guard (N=74)	Mail (N=21)	Sun (N=13)	Mir (N=8)	Total (N=232)
Pro-Legislation	23	24	39	14	7	5	112
<i>Government</i>	17	22	28	12	6	5	90
<i>Lab. Peers</i>	4	2	4	-	-	-	10
<i>Con. Party</i>	2	-	3	2	-	-	7
<i>LD Party</i>	-	-	2	-	-	-	2
<i>Other Peers</i>	-	-	2	-	-	-	2
<i>Police/Security</i>	-	-	-	-	1	-	1
Anti-Legislation	27	12	26	6	5	3	79
<i>Lab. Rebels</i>	3	5	7	2	2	1	20
<i>Lab. Peers</i>	1	-	4	-	-	1	6
<i>Con. Opp. MPs</i>	-	-	1	-	-	-	1
<i>Con. Peers</i>	14	5	9	3	2	1	34
<i>LD Peers</i>	6	2	5	-	1	-	14
<i>Other Peers</i>	2	-	-	-	-	-	2
<i>Civil Liberties</i>	-	-	-	1	-	-	1
<i>Muslim</i>	1	-	-	-	-	-	1
Mixed/Unstated	14	16	9	1	1	-	41
<i>Lab. Peers</i>	1	1	-	-	1	-	3
<i>Con. Party</i>	6	8	5	1	-	-	20
<i>Con. Peers</i>	3	1	-	-	-	-	4
<i>LD Party</i>	1	2	1	-	-	-	4
<i>LD Peers</i>	1	1	-	-	-	-	2
<i>Other Peers</i>	-	1	-	-	-	-	1
<i>Law Lords</i>	-	1	-	-	-	-	1
<i>All Opp. MPs</i>	-	-	2	-	-	-	2
<i>Speaker HC</i>	2	1	-	-	-	-	3
<i>Muslim</i>	-	-	1	-	-	-	1
Total (n)	64	52	74	21	13	8	232
Pro-Legislation	23 (36%)	24 (46%)	39 (53%)	14 (67%)	7 (54%)	5 (63%)	112 (48%)
Anti-Legislation	27 (42%)	12 (23%)	26 (35%)	6 (29%)	5 (38%)	3 (38%)	79 (34%)
Mixed/Unstated	14 (22%)	16 (31%)	9 (12%)	1 (5%)	1 (8%)	-	41 (18%)

Appendix 8 Source Positions on Legislation (PTA 2005)

Source Position	DT (N=159)	Times (N=130)	Guard (N=121)	Mail (N=67)	Sun (N=27)	Mir (N=44)	Total (N=548)
Pro-Legislation	67	72	43	33	24	27	266
<i>Government</i>	52	61	32	24	18	20	207
<i>Lab. Peers</i>	9	8	8	-	-	1	26
<i>Con. Opp. MPs</i>	-	1	-	-	-	-	1
<i>Con. Peers</i>	-	-	-	8	-	-	8
<i>Police/Security</i>	6	2	3	1	6	6	24
Anti-Legislation	90	49	67	34	3	16	259
<i>Lab. Rebels</i>	15	2	10	8	-	3	38
<i>Lab. Peers</i>	2	2	2	2	-	-	8
<i>Con. Party</i>	32	20	26	19	3	7	107
<i>Con. Peers</i>	9	6	3	-	-	-	18
<i>LD Party</i>	7	7	10	2	-	3	29
<i>LD Peers</i>	4	3	6	1	-	-	14
<i>All Opp. MPs</i>	2	2	-	-	-	-	4
<i>All Lords</i>	-	-	-	1	-	-	1
<i>Other Peers</i>	11	4	7	1	-	-	23
<i>Law Lords</i>	3	2	-	-	-	-	5
<i>Civil Liberties</i>	1	1	3	-	-	3	8
<i>Muslim</i>	4	-	-	-	-	-	4
Mixed/Unstated	2	9	11	-	-	1	23
<i>Lab. Party</i>	1	3	3	-	-	-	7
<i>Lab. Peers</i>	1	1	-	-	-	-	2
<i>Con. Peers</i>	-	1	-	-	-	-	1
<i>LD Peers</i>	-	-	1	-	-	-	1
<i>Other Peers</i>	-	-	1	-	-	-	1
<i>Police/Security</i>	-	3	4	-	-	-	7
<i>SIAC</i>	-	1	-	-	-	1	2
<i>Muslim</i>	-	-	2	-	-	-	2
Total (n)	159	130	121	67	27	44	548
Pro-Legislation	67 (42%)	72 (55%)	43 (36%)	33 (49%)	24 (89%)	27 (61%)	266 (49%)
Anti-Legislation	90 (57%)	49 (38%)	67 (55%)	34 (51%)	3 (11%)	16 (36%)	259 (47%)
Mixed/Unstated	2 (1%)	9 (7%)	11 (9%)	-	-	1 (2%)	23 (4%)

Appendix 9 Source Positions on Legislation (TA 2006)

Source Position	DT (N=143)	Times (N=71)	Guard (N=127)	Mail (N=78)	Sun (N=20)	Mir (N=38)	Total (N=477)
Pro-Legislation	69	35	53	37	13	18	225
<i>Government</i>	56	27	39	35	9	16	182
<i>Lab. Peers</i>	6	3	7	-	2	-	18
<i>Con. Opp. MPs</i>	-	1	-	-	-	-	1
<i>Con. Peers</i>	-	-	2	-	-	-	2
<i>LD Peers</i>	-	1	-	-	-	-	1
<i>Other Peers</i>	-	-	1	-	1	-	2
<i>Police/Security</i>	7	3	4	2	1	2	19
Anti-Legislation	74	30	59	36	7	19	225
<i>Lab. Rebels</i>	17	9	13	13	1	7	60
<i>Lab. Peers</i>	-	1	-	-	-	1	2
<i>Con. Party</i>	32	11	19	14	4	2	82
<i>Con. Peers</i>	4	1	3	-	-	-	8
<i>LD Party</i>	6	4	5	4	1	4	24
<i>LD Peers</i>	3	-	5	-	-	-	8
<i>All Opp. MPs</i>	2	1	2	3	-	-	8
<i>Other Parties</i>	-	-	2	-	-	1	3
<i>Other Peers</i>	2	2	1	-	1	-	6
<i>Law Lords</i>	4	-	1	-	-	-	5
<i>Police/Security</i>	-	1	-	-	-	-	1
<i>Civil Liberties</i>	2	-	3	-	-	3	8
<i>Muslim</i>	2	-	4	2	-	1	9
<i>United Nations</i>	-	-	1	-	-	-	1
Mixed/Unstated	-	6	15	5	0	1	27
<i>Backbenchers</i>	-	1	3	-	-	-	4
<i>Lab. Party</i>	-	1	5	1	-	-	7
<i>Lab. Peers</i>	-	-	-	1	-	-	1
<i>Con. Party</i>	-	-	2	-	-	-	2
<i>LD Peers</i>	-	4	5	3	-	1	13
Total (n)	143	71	127	78	20	38	477
Pro-Legislation	69 (48%)	35 (49%)	53 (42%)	37 (47%)	13 (65%)	18 (47%)	225 (47%)
Anti-Legislation	74 (52%)	30 (42%)	59 (46%)	36 (46%)	7 (35%)	19 (50%)	225 (47%)
Mixed/Unstated	-	6 (8%)	15 (12%)	5 (6%)	-	1 (3%)	27 (6%)

Appendix 10 Source Positions on Legislation (CTA 2008)

Source Position	DT (N=72)	Times (N=64)	Guard (N=89)	Mail (N=46)	Sun (N=25)	Mir (N=28)	Total (N=324)
Pro-Legislation	29	29	31	11	13	11	123
<i>Government</i>	16	18	22	8	8	8	80
<i>Lab. Peers</i>	1	2	2	-	-	-	5
<i>Con. Opp MPs</i>	-	1	-	-	-	-	1
<i>Con Peers</i>	2	2	1	1	1	1	7
<i>Other Parties</i>	2	4	4	-	1	1	12
<i>Other Peers</i>	-	-	1	-	-	-	1
<i>Police/Security</i>	8	2	1	2	3	1	17
Anti-Legislation	40	35	52	34	12	16	190
<i>Lab. Rebels</i>	4	2	7	4	-	1	18
<i>Lab. Peers</i>	5	1	8	2	-	1	17
<i>Con. Party</i>	18	21	18	15	9	7	88
<i>Con. Peers</i>	1	1	2	1	-	-	6
<i>LD Party</i>	1	2	5	2	-	3	13
<i>LD Peers</i>	1	-	2	-	-	-	3
<i>All Opp. MPs</i>	1	1	1	2	-	-	5
<i>Other Parties</i>	2	-	-	-	-	-	2
<i>Other Peers</i>	4	2	3	2	-	-	11
<i>Police/Security</i>	1	-	-	2	1	2	6
<i>Civil Liberties</i>	2	4	4	3	2	2	17
<i>Muslim</i>	-	1	2	1	-	-	4
Mixed/Unstated	3	-	6	1	-	1	11
<i>Lab. Party</i>	1	-	3	1	-	1	6
<i>Con. Party</i>	1	-	-	-	-	-	1
<i>LD Party</i>	1	-	-	-	-	-	1
<i>LD Peers</i>	-	-	1	-	-	-	1
<i>Police/Security</i>	-	-	1	-	-	-	1
<i>Speaker HC</i>	-	-	1	-	-	-	1
Total (n)	72	64	89	46	25	28	324
Pro-Legislation	29 (40%)	29 (45%)	31 (35%)	11 (24%)	13 (52%)	11 (39%)	124 (38%)
Anti-Legislation	40 (56%)	35 (55%)	52 (58%)	34 (74%)	12 (48%)	16 (57%)	189 (58%)
Mixed/Unstated	3 (4%)	-	6 (7%)	1 (2%)	-	1 (4%)	11 (3%)

NB. Due to the rounding of figures, the sum total in all of the above tables

(Appendices 7–10) might calculate above or below 100 percent.